





TOWN OF LEVERETT
Massachusetts 01054

TOWN OF LEVERETT
OVERRIDE ELECTION
MARCH 19, 1994

The Town of Leverett held a debt exclusion override election on March 19, 1994 between the hours of 9am and 1pm. Results of this election are as follows:

Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amount required to pay Leverett's share of the bond issued in order to reconstruct the Amherst-Pelham Regional Junior High School roof?

Yes: 47 No: 18

A true copy attest:

D'Ann Sauer Kelty
Town Clerk

SECRETARY AND OF THE BOARD

FEDERAL RESERVE BOARD

[Handwritten signature]

ROBERT L. HARRIS

[Handwritten signature]

A true copy I attest:

[Handwritten signature]

W. D. ANDERSON KELLY
Treasurer

TOWN OF LEVERETT SPECIAL TOWN MEETING
MARCH 14, 1994

Franklin, SS.

To one of the Constables of Leverett:

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, to meet in the LEVERETT ELEMENTARY SCHOOL GYMNASIUM at said Leverett, on Monday, March 14, 1994, at 7:30 in the evening (7:30 PM), then and there to act on the following articles, namely:

Article One: To see if the Town will vote to approve Leverett's amount of the \$750,000 debt authorized on February 22, 1994 by the Amherst-Pelham Regional School District School Committee for the purpose of financing costs of reconstructing the roof of the District Junior High School, including costs incidental and related thereto contingent on a debt exclusion override election.

Article Two: To see if the Town will vote to approve an amendment to the Agreement establishing the Amherst-Pelham Regional School District proposed by the Regional District School Committee, which proposed amendment provides for the expansion of the District to include all of the grades kindergarten through grade 12 in all of the member towns and amends and restates the existing Agreement, as amended, in its entirety. A copy of the proposed Amendment is on file with the Town Clerk.

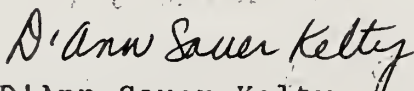
And you are directed to serve this Warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, fourteen days at least before the day of said meeting.

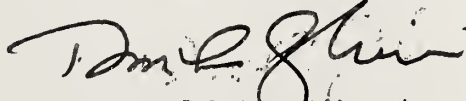
Given under our hands this twenty-eighth day of February, A.D. 1994.

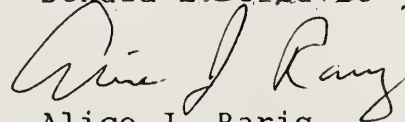
SELECTBOARD OF LEVERETT


Fenna Lee Bonsignore

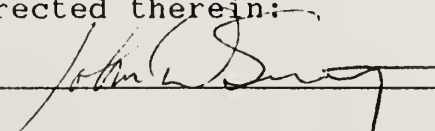
A true copy I attest:


D'Ann Sauer Kelty
Town Clerk


Donald L. Gibavich


Alice J. Rarig

I have served this Warrant as directed therein:

Date: 2/28/94 Constable 



TOWN OF LEVERETT
Massachusetts 01054

TOWN OF LEVERETT
OVERRIDE ELECTION
MARCH 19, 1994

The Town of Leverett held a debt exclusion override election on March 19, 1994 between the hours of 9am and 1pm. Results of this election are as follows:

Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amount required to pay Leverett's share of the bond issued in order to reconstruct the Amherst-Pelham Regional Junior High School roof?

Yes: 47 No: 18

A true copy attest:

D'Ann Sauer Kelty
Town Clerk



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TOWN OF LEVERETT
Massachusetts 01054

May 13, 1994

This is to certify that at a Special Town Meeting of the Town of Leverett Massachusetts, held on March 14, 1994, a quorum being present, the following action was taken:

Motion: I move that the Town vote to appropriate Leverett's amount of the \$750,000 debt authorized on February 22, 1994 by the Amherst-Pelham Regional School District School Committee for the purpose of financing costs of reconstructing the roof of the District Junior High School, including costs incidental and related thereto contingent on a debt exclusion override election.

The motion was seconded and passed unanimously.

A true copy attest:

D'Ann Sauer Kelty
Town Clerk

1. The first part of the report deals with the general situation of the country and the position of the various groups.

2. The second part deals with the economic situation and the measures taken to improve it.

3. The third part deals with the social situation and the measures taken to improve it.

4. The fourth part deals with the cultural situation and the measures taken to improve it.

5. The fifth part deals with the political situation and the measures taken to improve it.

6. The sixth part deals with the international situation and the measures taken to improve it.

7. The seventh part deals with the future of the country and the measures taken to improve it.

8. The eighth part deals with the conclusion of the report.

9. The ninth part deals with the appendix.

10. The tenth part deals with the index.

11. The eleventh part deals with the bibliography.

12. The twelfth part deals with the list of abbreviations.

13. The thirteenth part deals with the list of symbols.

14. The fourteenth part deals with the list of tables.

15. The fifteenth part deals with the list of figures.

16. The sixteenth part deals with the list of maps.

17. The seventeenth part deals with the list of plates.

18. The eighteenth part deals with the list of footnotes.

19. The nineteenth part deals with the list of references.

20. The twentieth part deals with the list of sources.

21. The twenty-first part deals with the list of documents.

22. The twenty-second part deals with the list of interviews.

23. The twenty-third part deals with the list of consultations.

24. The twenty-fourth part deals with the list of meetings.

25. The twenty-fifth part deals with the list of conferences.

26. The twenty-sixth part deals with the list of seminars.

27. The twenty-seventh part deals with the list of workshops.

28. The twenty-eighth part deals with the list of courses.

29. The twenty-ninth part deals with the list of lectures.

30. The thirtieth part deals with the list of presentations.

31. The thirty-first part deals with the list of reports.

32. The thirty-second part deals with the list of studies.

33. The thirty-third part deals with the list of analyses.

34. The thirty-fourth part deals with the list of conclusions.

35. The thirty-fifth part deals with the list of recommendations.

36. The thirty-sixth part deals with the list of suggestions.

37. The thirty-seventh part deals with the list of proposals.

38. The thirty-eighth part deals with the list of initiatives.

39. The thirty-ninth part deals with the list of actions.

40. The fortieth part deals with the list of measures.

41. The forty-first part deals with the list of steps.

42. The forty-second part deals with the list of procedures.

43. The forty-third part deals with the list of methods.

44. The forty-fourth part deals with the list of techniques.

45. The forty-fifth part deals with the list of tools.

46. The forty-sixth part deals with the list of instruments.

47. The forty-seventh part deals with the list of equipment.

48. The forty-eighth part deals with the list of facilities.

49. The forty-ninth part deals with the list of services.

50. The fiftieth part deals with the list of resources.

51. The fifty-first part deals with the list of assets.

MINUTES
LEVERETT SPECIAL TOWN MEETING
MONDAY, SEPTEMBER 29, 1993

Town Meeting was called to order by Moderator Richard Howland at 7:37pm at the School Gymnasium. It was moved, seconded, and passed to dispense with the reading of the warrant.

Article One: Alice Rarig: I move that the Town vote to reduce the Regional School assessment by \$43,925, from \$569,762 to \$525,837 according to the provisions of Chapter 138 Section 228-231 of the Acts of 1991.

Judi Fonsh: Second. Motion passed.

Article Two: Fenna Lee Bonsignore: I move that the Town vote to raise and appropriate an additional \$50,754 for the Elementary School FY94 budget.

Judi Fonsh: Second. Finance Committee supported the motion. Motion carried unanimously.

Article Three: Don Gibavic: I move that the Town vote to raise and appropriate \$10,000 to be transferred to the Stabilization Fund.
Second. Motion carried unanimously.

Article Four: Alice Rarig: I move that the Town vote to raise and appropriate an additional \$10,000 for the FY94 Workers' Compensation budget.

Cliff Blinn: Second. Finance Committee supported the motion. Carried unanimously.

Article Five: Fenna Lee Bonsignore: I move that the Town vote to raise and appropriate an additional \$400 for the Fire Department FY94 operating expenses.

Second. Finance Committee supported the motion. Motion carried unanimously.

Article Six: Don Gibavic: I move that the Town vote to raise and appropriate an additional \$472 for Library wages and \$75 for Library expenses for FY94.

Second. Finance Committee supported the motion. Motion carried unanimously.

Article Seven: Don Gibavic: I move that Town vote to raise and appropriate an additional \$8000 for Highway expenses for FY94.

Second. Finance Committee supported the motion. Motion carried unanimously.

Motion to adjourn was made, seconded and carried at 7:45pm.

Minutes recorded by D'Ann Sauer Kelty, Town Clerk

MINUTES
TOWN SPECIAL MEETING
NOVEMBER 29, 1991

Town meeting was called to order by Moderator Richard Howland at 7:00 PM. The first item of business was the reading of the minutes of the previous meeting, which were moved, seconded, and passed.

Article One: I move that the Town vote to appropriate an additional \$2,000 for the purchase of a new computer system. The Finance Committee supported the motion. Motion carried unanimously.

Article Two: I move that the Town vote to appropriate an additional \$5,000 for the Elementary School. The Finance Committee supported the motion. Motion carried unanimously.

Article Three: I move that the Town vote to appropriate an additional \$10,000 for the purchase of a new vehicle. The Finance Committee supported the motion. Motion carried unanimously.

Article Four: I move that the Town vote to appropriate an additional \$15,000 for the purchase of a new vehicle. The Finance Committee supported the motion. Motion carried unanimously.

Article Five: I move that the Town vote to appropriate an additional \$20,000 for the purchase of a new vehicle. The Finance Committee supported the motion. Motion carried unanimously.

Article Six: Don Gibavic: I move that the Town vote to raise and appropriate an additional \$475 for Library wages and \$275 for library expenses for FY94. The Finance Committee supported the motion. Motion carried unanimously.

Article Seven: Don Gibavic: I move that Town vote to raise and appropriate an additional \$8000 for Highway expenses for FY94. The Finance Committee supported the motion. Motion carried unanimously.

Motion to adjourn was made, seconded and carried at 7:45pm.
Minutes read by Don Gibavic, Town Clerk

MINUTES
LEVERETT SPECIAL TOWN MEETING
MONDAY, SEPTEMBER 29, 1993

Town Meeting was called to order by Moderator Richard Howland at 7:37pm at the School Gymnasium. It was moved, seconded, and passed to dispense with the reading of the warrant.

Article One: Alice Rarig: I move that the Town vote to reduce the Regional School assessment by \$43,925, from \$569,762 to \$525,837 according to the provisions of Chapter 138 Section 228-231 of the Acts of 1991.

Judi Fonsh: Second. Motion passed.

Article Two: Fenna Lee Bonsignore: I move that the Town vote to raise and appropriate an additional \$50,754 for the Elementary School FY94 budget.

Judi Fonsh: Second. Finance Committee supported the motion. Motion carried unanimously.

Article Three: Don Gibavic: I move that the Town vote to raise and appropriate \$10,000 to be transferred to the Stabilization Fund.
Second. Motion carried unanimously.

Article Four: Alice Rarig: I move that the Town vote to raise and appropriate an additional \$10,000 for the FY94 Workers' Compensation budget.

Cliff Blinn: Second. Finance Committee supported the motion. Carried unanimously.

Article Five: Fenna Lee Bonsignore: I move that the Town vote to raise and appropriate an additional \$400 for the Fire Department FY94 operating expenses.

Second. Finance Committee supported the motion. Motion carried unanimously.

Article Six: Don Gibavic: I move that the Town vote to raise and appropriate an additional \$472 for Library wages and \$75 for Library expenses for FY94.

Second. Finance Committee supported the motion. Motion carried unanimously.

Article Seven: Don Gibavic: I move that Town vote to raise and appropriate an additional \$8000 for Highway expenses for FY94.

Second. Finance Committee supported the motion. Motion carried unanimously.

Motion to adjourn was made, seconded and carried at 7:45pm.

Minutes recorded by D'Ann Sauer Kelty, Town Clerk

TOWN OF LEVERETT SPECIAL TOWN MEETING
MARCH 14, 1994

Franklin, SS.

To one of the Constables of Leverett:

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, to meet in the LEVERETT ELEMENTARY SCHOOL GYMNASIUM at said Leverett, on Monday, March 14, 1994, at 7:30 in the evening (7:30 PM), then and there to act on the following articles, namely:

Article One: To see if the Town will vote to approve Leverett's amount of the \$750,000 debt authorized on February 22, 1994 by the Amherst-Pelham Regional School District School Committee for the purpose of financing costs of reconstructing the roof of the District Junior High School, including costs incidental and related thereto contingent on a debt exclusion override election.

Article Two: To see if the Town will vote to approve an amendment to the Agreement establishing the Amherst-Pelham Regional School District proposed by the Regional District School Committee, which proposed amendment provides for the expansion of the District to include all of the grades kindergarten through grade 12 in all of the member towns and amends and restates the existing Agreement, as amended, in its entirety. A copy of the proposed Amendment is on file with the Town Clerk.

And you are directed to serve this Warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, fourteen days at least before the day of said meeting.

Given under our hands this twenty-eighth day of February, A.D. 1994.

SELECTBOARD OF LEVERETT

Fenna Lee Bonsignore

A true copy I attest:

Donald L. Gibavic

D'Ann Sauer Kelty
Town Clerk

Alice J. Rarig

I have served this Warrant as directed therein:

Date: _____ Constable _____

MINUTES
TOWN OF LEVERETT
SPECIAL TOWN MEETING
MARCH 14, 1994

The Special Town Meeting was called to order in the Leverett Elementary School Gymnasium by Moderator Richard Howland at 7:32pm. A quorum was present.

The Moderator entertained a motion to dispense with the reading of the warrant. So moved, seconded and passed.

Article One: To see if the Town will vote to approve Leverett's amount of the \$750,000 debt authorized on February 22, 1994 by the Amherst-Pelham Regional School District School Committee for the purpose of financing costs of reconstructing the roof of the District Junior High School, including costs incidental and related thereto contingent on a debt exclusion override election.

Judy Weinthal: I move that the Town vote to appropriate Leverett's amount of the \$750,000 debt authorized on February 22, 1994 by the Amherst-Pelham Regional School District School Committee for the purpose of financing costs of reconstructing the roof of the District Junior High School, including costs incidental and related thereto contingent on a debt exclusion override election.

Fenna Lee Bonsignore: second.

Finance Committee recommended the motion.

Motion passed unanimously.

Article Two: To see if the Town will vote to approve an amendment to the Agreement establishing the Amherst-Pelham Regional School District proposed by the Regional District School Committee, which proposed amendment provides for the expansion of the District to include all of the grades kindergarten through grade 12 in all of the member towns and amends and restates the existing Agreement, as amended, in its entirety. A copy of the proposed Amendment is on file with the Town Clerk.

Judy Weinthal: I move that the Town vote to approve an amendment to the Agreement establishing the Amherst-Pelham Regional School District proposed by the Regional District School Committee, dated February 27, 1994, which proposed amendment provides for the expansion of the District to include all of the grades kindergarten through grade 12 in all of the member towns and amends and restates the existing Agreement, as amended, in its entirety including the following correction and amendment:
Correction: Add the word "Shutesbury" on page 12
Section XIII, paragraph B.
Amendment: Add to end of Section VI, paragraph E, the following sentence:



THE [illegible] OF THE [illegible] [illegible]

AND [illegible] [illegible] [illegible] [illegible]

IN [illegible] [illegible] [illegible] [illegible] [illegible]

AND [illegible] [illegible] [illegible] [illegible] [illegible]

AND [illegible] [illegible] [illegible] [illegible] [illegible]

AND [illegible] [illegible] [illegible] [illegible] [illegible]

AND [illegible] [illegible] [illegible] [illegible] [illegible]

"Referenced but not incorporated into this Agreement is the payment of compensation by the Regional School District pursuant to the exercise of its authority under the provisions of Massachusetts General Laws Chapter 71, Section 16(f) and the terms of an independent contract with School Union #28 as a result of its dissolution and the accompanying addition of the towns of Leverett and Shutesbury to the Regional Shool District."

Charles Paulin: second.

Finance Committee recommended the article.

A voice vote was taken, motion passed.

Motion to adjourn was made, seconded and passed.

Meeting adjourned at 9:20pm.

Minutes recorded and prepared by D'Ann Sauer Kelty, Town Clerk

2. The second part of the document focuses on the role of the auditor in the financial system. It describes the various responsibilities of the auditor, including the need to maintain independence and objectivity, and the importance of communicating with the client and the public. The text also discusses the various methods used to audit financial statements, including the use of sampling and the importance of maintaining a thorough audit trail. It also discusses the challenges associated with auditing, such as the need for specialized training and the potential for conflicts of interest.

3. The third part of the document discusses the role of the regulator in the financial system. It describes the various responsibilities of the regulator, including the need to maintain the integrity of the financial system and to protect the interests of the public. The text also discusses the various methods used to regulate the financial system, including the use of rules and standards, and the importance of maintaining a thorough regulatory framework. It also discusses the challenges associated with regulation, such as the need for specialized training and the potential for conflicts of interest.

February 27, 1994

(New language in Boldface)

AN AGREEMENT ESTABLISHING A **K-12** REGIONAL SCHOOL DISTRICT
COMPRISING THE TOWNS OF AMHERST, PELHAM, LEVERETT AND
SHUTESBURY

This agreement entered into pursuant to Chapter 71 of the General Laws of Massachusetts, as amended, WITNESSETH that

WHEREAS, the Towns of Amherst, Pelham, Leverett and Shutesbury have formed a Regional School District under the provisions of said Chapter 71, as amended, known as Amherst-Pelham Regional School District, and have entered into an Agreement entitled "An Agreement Establishing a Regional School District Comprising the Towns of Amherst, Pelham, Leverett and Shutesbury"; and

WHEREAS, the Towns of Amherst, Pelham, Leverett and Shutesbury desire to expand said Regional School District to include Grades K-12;

NOW, THEREFORE, in consideration of the foregoing and of the mutual promises herein contained, the Towns of Amherst, Leverett, Pelham and Shutesbury do mutually agree that the agreement establishing the Amherst-Pelham Regional School District be hereby amended in its entirety to read and provide as follows:

SECTION I: ESTABLISHMENT OF THE REGIONAL SCHOOL DISTRICT

A Regional School District is hereby established under the provisions of Section 15 of Chapter 71 of the General Laws, comprising the Towns of Amherst, Leverett, Pelham and Shutesbury. Said Towns are hereinafter referred to as the Participating Towns.

The Regional School District shall comprise Grades K-12 and shall provide such pre-school services and programs as approved by the Regional School Committee.

The purpose of the Regional School District is to provide an equal opportunity for all children served by the District to receive a thorough and efficient education.

SECTION II: THE REGIONAL DISTRICT SCHOOL COMMITTEE

A. Composition

The Regional School Committee shall consist of thirteen members, 7 from the Town of Amherst, 2 each from the Towns of Leverett, Pelham and Shutesbury. Each member of the Committee shall have one vote.

B. Terms and Selection of Initial K-12 Committee Members

School Committee members serving on the 7-12 Amherst-Pelham Regional District Committee on the date of this Agreement will remain as school committee members for the duration of their elected term. Within 10 days after the effective date of this Agreement, the local school committees and Select Boards of Leverett and Shutesbury shall select the additional committee member from their respective towns specified in Section II.A above, whose terms shall expire in 1995. The Amherst School Committee and Amherst Select Board shall jointly select the additional members specified in Section II.A, whose terms shall expire in 1995 and 1996 respectively. Such selectees shall take office on the tenth day after such effective date and shall serve until their successors are selected and qualified under Section II.C below.

C. Terms and Selection

Each School Committee member shall serve for a term of three (3) years. Amherst members will be selected in Town-wide elections. Leverett, Pelham and Shutesbury members will be appointed by their respective Select Boards immediately following their annual Town Meetings.

D. Vacancies

When a vacancy occurs in the Committee with the members of the Towns of Pelham, Leverett or Shutesbury, the Select Board of the Town in which the vacancy occurs shall select a replacement to complete the remainder of the term. If the vacancy occurs with the members from Amherst, the remaining Regional School Committee members of Amherst and the Amherst Select Board shall

select a replacement to complete the remainder of the term.

E. Organization

At its first meeting following approval of the agreement and at its first meeting following the completion of annual elections in Participating Towns, the Regional School Committee shall elect a Chairperson, Vice-Chairperson, and Secretary by majority vote of members present.

F. Location of Regional School Offices

The Committee shall establish, and from time to time may relocate, within the District at a place of its own choosing a central office for the transaction of its business.

G. School Councils

The Regional School Committee shall encourage the School Councils created under Chapter 71 of the Acts of 1993 to advise it about the needs of the schools within the Regional School District.

SECTION III: POWERS AND DUTIES OF THE SCHOOL DISTRICT

A. The powers and duties of the Regional School District, hereinafter referred to as the District, shall be vested in and exercised by the Regional School Committee.

B. The District shall be a body politic and corporate with all the powers and duties conferred upon school committees by law and by this Agreement and any amendments thereto, and with the additional powers and duties specified in Chapter 71 of the General Laws as now and hereafter amended.

C. The Committee is empowered, subject to the provisions of paragraphs D and E below, to incur debt for purposes authorized by the Massachusetts General Laws.

D. Within 48 hours after such debt is authorized by the Committee, the Committee shall mail or deliver to the Select Board

in each Participating Town a written notice stating the amount of the debt and the date of its authorization. In addition the Committee shall cause the same information to be published within ten days after such authorization as a paid notice in a newspaper circulating in the District.

E. With respect to the physical and related aspects of constructing any regional district school building and any major additions or alterations thereto, the Committee shall obtain the advice of at least three other persons, of its own selection, who by training or experience possess knowledge of building materials and building construction, these additional consultants to serve in an advisory capacity only and without pay.

SECTION IV: LOCATION AND NAME OF THE REGIONAL DISTRICT SCHOOLS

A. Regional District Schools for secondary level pupils shall be located in Amherst. Regional district schools serving elementary level pupils primarily from a participating town shall be located in that town.

B. The Committee shall select an appropriate name or names for any school or schools in the Region.

SECTION V: TYPE OF REGIONAL DISTRICT SCHOOL

A. The Regional District shall comprise the grades Kindergarten through twelve, inclusive, and shall provide Pre-School services as required by law or as authorized by the Regional School Committee.

SECTION VI: APPORTIONMENT AND PAYMENT OF COSTS INCURRED BY THE DISTRICT

A. For the purpose of apportioning assessments levied by the District against the Participating Towns, costs other than those transportation costs described in Section X.A shall be divided into two categories: capital costs and operating costs.

B. Capital costs shall include all expenditures relating to capital outlay such as payment of principal and interest on bonds or other obligations issued by the District, and any other expenses associated with the acquisition of real estate, the construction and

improvement of buildings, grading, purchase of equipment, and other activities incidental to placing in operation the original school plant and any subsequent additions and improvements thereto.

C. Operating costs, **other than those for transportation**, shall include all other costs such as salaries, wages, supplies, texts, repair and maintenance expenditures, interest on notes issued in anticipation of revenue and other costs incurred on the day-to-day operation of the school.

D. **District capital costs for property owned by the Region** shall be apportioned as follows: **For schools accommodating pupils from all member towns the apportionment of capital costs shall be as follows:** Principal and interest on bonds or other obligations authorized by vote of the Regional District School Committee adopted on or after April 1, 1994, to finance capital costs shall be apportioned to the Participating Towns on the basis of the equalized valuations of said towns as determined and reported by the appropriate State agency or department and in effect on the date such bonds or other obligations are so authorized. The proportions shall be computed to the nearest tenth of a percentage point and the proportions shall not be changed during the period such bonds or other obligations are outstanding except as provided in Section XI and XII. **Capital costs incurred for elementary schools shall be apportioned to the Town in which the school is located.**

E. Operating costs for the ensuing fiscal year shall be apportioned annually prior to the twenty-fourth day following the date of the annual budget adoption on the basis of the average pupil membership, as computed by a five year moving average **(with elementary enrollments being phased in over a period of five years)** of which the most recent year shall be the previous school year ended June 30, each Participating Town's share to bear the same relationship to operating costs as its moving average membership in the Regional District Schools from all the Participating Towns, as determined by the Regional District Committee, provided, that if the Regional District Schools shall not have been operated during the school year ending the previous June 30, the basis of apportionment shall be the average membership, computed on a five year moving average, which each Participating Town would have had in the Regional District Schools, had they been so operated.

F. Each Participating Town shall pay its proportionate share of the capital, **transportation** and operating costs to the District each year in equal installments not later than the month of May, August, and November, such payments to be made in the manner prescribed by Law.

G. Any school which is currently owned by a Participating Town shall remain the property of that Town. However, each property to be used for such purpose shall be leased to the Regional School District for the fiscal year in which it is to be used, by the Participating Town for the sum of one dollar.

Each lease shall authorize the District to insure and maintain the school building and its premises. In addition, each lease shall authorize the District to repair, improve, alter, remodel or modernize any of the leased buildings, provided the cost of such capital expenditures are paid for and approved by the Town of the lessor. Limitations heretofore set forth shall not apply in an emergency situation that requires immediate action to preserve or protect the health, safety, or welfare of the students and/or employees occupying a leased facility. A majority vote of the Committee, including a two-thirds vote by the members from the Town involved and a majority of the Town's Select Board shall be required to establish that an emergency exists. Should such an emergency expenditure be made, the Community owning the building will be assessed those costs in addition to its voted assessment.

The unpaid balance on any outstanding school bonds at the time of leasing Participating Town school buildings shall remain the obligation of that Participating Town.

SECTION VII: REGIONAL SCHOOL DISTRICT BUDGET

A. Not later than 45 days prior to the earliest date on which the business session of the annual Town Meeting of any Participating Town is to be held, but not later than March 31, the Committee shall adopt an operating and maintenance budget for the next fiscal year, itemized as follows:

1. Instruction
2. Instructional Support
3. Operational Support
4. Debt
5. Other programs

The Committee will also publish summaries of the elementary school budgets for each Town.

B. The expenses of the District, as set forth in such budget, shall be apportioned to the Participating Towns in accordance with Section VI and shall be certified prior to the twenty-fourth day following the date of the budget adoption to the treasurers of the Participating Towns, and the amounts so certified shall be paid as provided in Section VI.

C. The Committee shall adopt the budget by a **two thirds vote of its entire membership.**

D. The Committee shall consult with the Select Board of each Participating Town each year prior to determining guidelines for the Superintendent to use in preparing a budget proposal for the following fiscal year.

E. Assessments

In accordance with Chapter 70 of the Massachusetts General Laws, as amended in 1993, each Town's assessment shall be calculated as follows:

School spending for each Town shall be its proportionate share of the district's operating costs. From this amount shall be subtracted each Town's share of Regional School Aid, as determined by the State, and its proportion of additional revenues of the Region and Excess and Deficiency Funds applied to the costs of operating the Region. For each Town this amount shall be compared with its Minimum Contribution required under Chapter 70 and the larger amount shall be its operating cost assessment. Each Town's assessment will be determined by adding to this amount its proportionate share of transportation costs, capital expenses and debt. Should any provision of this agreement governing the apportionment of costs to the

Participating Towns be inconsistent with any provisions of law, the applicable statute shall prevail.

F. Surplus funds

If the amount of unencumbered surplus funds of the district at the end of any fiscal year exceeds 3.5 percent of the budgeted operating and capital costs not incurred by debt for the succeeding fiscal year, an amount at least equal to the amount of such excess shall be applied by the Committee to reduce the assessments to the Participating Towns for such succeeding fiscal year.

SECTION VIII: ANNUAL MEETING AND ANNUAL REPORT

A. Annually within the fifteen days prior to the adoption of an annual budget and after ten days' published notice in each Participating Town, the Committee shall hold a public hearing to discuss the proposed budget for the ensuing year and any other matters pertaining to the educational program of the District.

B. The Committee shall submit to each Participating Town by September 15th of each year its annual financial statements for the prior fiscal year, and a statement showing the method by which the corresponding assessments for for each Participating Town were computed, together with such additional information relative to the operation of the Regional District Schools as the Committee or the Select Board from any Participating Town may deem desirable.

SECTION IX: ADMISSION AND ASSIGNMENT OF STUDENTS

A. The Regional District Schools accept all children who reside in the District **who are eligible to attend Grades K-12.**

B. Except as provided in Section IX.C, **or as by Chapter 76, Section 12B of the General Laws,** no child referred to in Section IX.A above may attend at the expense of the Regional District a school other than the Regional District Schools except in case the District does not offer comparable facilities and then only upon approval of the Committee.

C. Children referred to in Section IX.A above may attend state-aided vocational courses in accordance with the provisions of Chapter 74 of the General Laws.

D. With the approval of the Committee **in accordance with the Law**, and upon such terms as it may determine, children residing outside the District may attend the Regional District Schools on a tuition basis.

E. The School Committee may approve the movement of **pre-school and** elementary school students across Town lines by a majority vote of the Committee, including majority votes of the members of both the sending and receiving Towns.

SECTION X: TRANSPORTATION

The district shall provide transportation for all eligible pupils attending the Regional District Schools. In providing such transportation, the District may contract with any one or more of the Participating Towns for the provision of such transportation once daily to and from the Regional District Schools for the pupils residing in such Town and entitled to such transportation. The costs of providing transportation shall be **apportioned in the same manner as operating costs and** included in the District [operating costs] **assessment**.

SECTION XI: ADMISSION OF ADDITIONAL TOWNS TO THE REGIONAL SCHOOL DISTRICT

A. Any town may petition to become a Participating Town in the District under terms stipulated in a proposed amendment to the Agreement. Said petitioning town shall become a Participating Town if the proposed amendment is approved by the Committee and accepted by the petitioning town and each Participating Town, and provided further that the petitioning town shall also accept the Agreement with any amendments thereto, approval by the Committee to require a two-thirds vote, and acceptance by the petitioning town and the Participating Towns to be by majority vote at an annual town meeting, such vote in the case of a town having representative town government by limited town meetings to be subject to the right of referendum applicable in such town.

B. Upon admission of a town to the District, assessments levied against the Participating Towns by the District to meet capital costs as defined in Section VI.B shall be stipulated in the Agreement by which town is admitted to the District, and such newly admitted town shall be responsible for its proportionate share of such capital costs as so reapportioned and for its proportionate share of operating **and transportation** costs as defined in Section VI.C incurred after its admission to the District and apportioned under Section VI.E.

C. The newly admitted town shall pay to the District its share, as determined in Section XI.B, of the funded indebtedness already retired. For the purpose of this calculation such retired indebtedness shall be considered as the difference between (1) the original plus any subsequent capital costs, exclusive of interest and the total state construction grant, depreciated at the rate of 2 per cent per year, and (2) that part of capital costs as yet unpaid less that part of the state construction grant not yet received. Such share shall be paid in equal installments not later than the tenth of May, August, and November in each year during the remaining period of indebtedness or for a period of ten years, whichever period is the longer. During the remaining period of indebtedness such payments thus made shall be credited to the other Towns comprising the District in amounts proportionate to the share of capital costs each has paid in the past. Thereafter such payments shall be made in accordance with Section XI.D.

D. If no funded indebtedness exists, the newly admitted town shall nevertheless assume liability of its share of the past funded indebtedness which shall be computed in the manner described above in Section XI.C and paid directly to the other towns then comprising the District in the proportion due each, payments to be made in ten equal annual installments.

E. The newly admitted town shall be liable as a Participating Town for its proportionate share as determined hereunder of any outstanding funded indebtedness and interest thereon. The admission of a new town to the District shall be deemed to constitute approval by such town of the amount of any funded indebtedness of the District authorized by the Committee prior to such admission, but which has not been issued and is not outstanding, and such town shall be liable for its proportionate

share as determined hereunder of any such funded indebtedness when issued and for interest thereon.

SECTION XII: WITHDRAWAL OF A TOWN FROM THE REGIONAL SCHOOL DISTRICT

A. Any Participating Town may petition to withdraw from the District under terms stipulated in a proposed amendment to the Agreement provided that the Town seeking to withdraw has paid over to the District any operating costs for which it became liable to the District for its share of the indebtedness of the District outstanding at the time of such withdrawal, and for interest thereon, to the same extent and in the same manner as though the Town had not withdrawn from the District except that such liability shall be reduced by any amount which such Town has paid over at the time of withdrawal and which has been applied to the payment of such indebtedness of interest.

B. Said petitioning town shall cease to be a Participating Town if the proposed amendment is approved by the Committee and accepted by the petitioning town and each of the other Participating Towns, approval by the Committee to require a two-thirds vote, and acceptance by the petitioning town and by the other Participating Towns to be by majority vote at an annual town meeting, such vote in the case of a town having representative town government by limited town meetings to be subject to the right of referendum applicable in such town.

C. Money received by the District from the withdrawing town for payment of funded indebtedness of interest thereon shall be used for this purpose only.

SECTION XIII EMPLOYMENT OF TEACHERS **AND OTHER EMPLOYEES** AND EXTENSION OF **PROFESSIONAL STATUS**

A. All persons in positions to be superceded by the establishment of the District shall be given preferred consideration for similar **vacant** positions in the District to the extent that such positions exist therein; and **as of July 1, 1994** any such teacher or **administrator who had achieved professional status or accumulated experience toward the achievement of professional status will be considered to have achieved professional status or to have accumulated experience**

toward the achievement of professional status as appropriate.

B. The Region will create an administrative position for a period of at least three years whose responsibilities will include overseeing the incorporation of elementary schools into the Region and the separation of Leverett and Elementary Schools from Union #28.

SECTION XIV: AMENDMENT OF THE AGREEMENT

A. This Agreement may be amended by (1) a two-thirds vote of the Committee and (2) a majority in each of the Participating Towns at either an annual or a special town meeting, such vote in the case of a town having representative town government by limited town meetings to be subject to the right of referendum applicable in such town. Action to amend the Agreement may be proposed only by the Committee, any such proposal to be submitted to the Select Board in each Participating Town who shall cause the question to be voted upon either at the next annual town meeting or if the Committee so requests at a special town meeting which shall be held within thirty (30) days of the date on which the Select Boards receive the proposed amendment from the Committee.

B. No such amendment shall be made which substantially impairs the right of the holders of any bonds or notes of the District then outstanding, or the rights of the District to procure the means for payment thereof, provided this provision shall not prevent the admission of a new town to the District and the reapportionment accordingly of that part of the cost of construction represented by bonds or notes of the District then outstanding, and of interest thereon.

C. Termination of the Agreement

Subject to provision for the payment of all obligations of the District, this Agreement may be terminated by the process of amendment as set forth in Section XIV.A above, provided further that the terms of such termination are approved by the State Department of Education and the Emergency Finance Board.

SECTION XVII: FISCAL YEAR AND TIMES OF PAYMENT OF APPORTIONED COSTS

A. The fiscal year or period of the District shall be the same as the fiscal period of the Participating Towns as provided by law, and the words "year" or "calendar year" as they relate in this Agreement to a fiscal or budget year shall mean the fiscal year of the District.

B. Notwithstanding the provisions of Section VI of this Agreement, the dates on or before which the respective percentages of the annual share of costs of the District apportioned to each Participating Town shall be as follows:

August 5th	=	25%
November 5th	=	25%
February 5th	=	25%
May 5th	=	25%

SECTION XVIII: TRANSITION STUDY GROUP

A. During the first year of the new K-12 Region, all elementary schools will function essentially as they have in previous years.

B. The Regional School Committee will appoint a Regional Transition Study Group who will review the philosophy, curriculum, program delivery, staffing organizations, class groupings and sizes, student assessment practices and special education practices of the elementary schools in the District and make a report to the Regional School Committee by December 1, 1994. This report will describe the unique characteristics of the elementary schools and make recommendations concerning the ways in which strengths can be shared and replicated across the District.

2

Article ~~34~~ Regionalization Amendment
(Amherst-Pelham Regional School District School Committee)

I move that the Town approve an amendment to the Agreement establishing the Amherst-Pelham Regional School District proposed by the Regional District School Committee, dated February 27, 1994, which proposed amendment provides for the expansion of the District to include all of the grades kindergarten through grade 12 in all of the member towns and amends and restates the existing Agreement, as amended, in its entirety including the following correction and amendment:

Correction - Add the word "Shutesbury" on page 12
Section XIII, paragraph B.

Amendment - Add to end of Section VI, paragraph E, the following sentence:

"Referenced but not incorporated into this Agreement is the payment of compensation by the Regional School District, pursuant to the exercise of its authority under the provisions of G. L. c. 71, s. 16 (f) and the terms of an independent contract with School Union #28 as a result of its dissolution and the accompanying addition of the towns of Leverett and Shutesbury to the Regional School District."

AGREEMENT BETWEEN THE AMHERST-PELHAM REGIONAL SCHOOL DISTRICT

and

SCHOOL UNION #28 AND THE SCHOOL COMMITTEES OF
ERVING, LEVERETT, NEW SALEM, SHUTESBURY, AND WENDELL

March 14, 1994

This AGREEMENT is entered into, as of the date first mentioned above, by and between the Amherst-Pelham Regional School District, its successor organization - the Amherst, Pelham, Leverett and Shutesbury Regional School District, hereinafter referred to as the "Regional School District," and School Union #28 and its member School Committees of Erving, Leverett, New Salem, Shutesbury, and Wendell - and its successor member School Committees of Erving, New Salem, and Wendell, hereinafter referred to as School Union #28.

WHEREAS, the Regional School District and School Union #28 wish to facilitate the formation of a K-12 regional school district comprising the towns of Amherst, Pelham, Leverett, and Shutesbury, and the dissolution School Union #28 to leaving the towns of Erving, New Salem, and Wendell, in a manner which enhances the quality of education for all students in both entities;

NOW THEREFORE, in consideration of the foregoing and of the mutually exchanged promises herein contained, the Regional School District and School Union #28 agree that:

- I. the Regional School District shall annually pay School Union #28 the sum of one hundred twelve thousand dollars and no cents (\$112,000.00), hereinafter referred to as the "annual payment," on or before each July 31st beginning with the fiscal year beginning July 1, 1994, for an entire term of ten fiscal years' provided further, that,
- II. should the "base aid," or its equivalent under future law, received by the Regional School District in fiscal year 1995 decrease in successive fiscal years for any reason other than the withdrawal of a town from the Amherst, Pelham, Leverett, and Shutesbury Regional School District, then the aforementioned one hundred twelve thousand dollars and no cents (\$112,000.00) annual payment shall also be reduced in the same proportion as the reduction in "base aid" for each fiscal year, provided further that, for the purposes of this paragraph, the "annual payment" will not ever be reduced below eighty thousand dollars (\$80,000.00); provided further, that,
- III. should a new school committee join School Union #28 after its forthcoming dissolution, sub, the "annual payment" shall also be reduced by two hundred fifty dollars and no cents (\$250.00) per elementary level student gained by School Union #28 based on the enrollment of the year prior to such gain; provided further, that,
- IV. should the Town of Erving leave School Union #28 after its forthcoming dissolution, sub, the "annual payment" shall also be reduced by two hundred fifty dollars and no cents (\$250.00) per elementary level student lost by School Union #28; provided further, that,
- V. should the towns of Wendell and New Salem leave School Union #28, the union shall be considered to cease to exist for the purpose of this Agreement and all obligations, including that of making the "annual payment," of the parties under this Agreement shall cease and this Agreement will be terminated; provided further, that,
- VI. the Regional School District shall make the "annual payment" to the lawful depository designated by School Union #28, provided further that the Regional School District may suspend such "annual payments" if such payments are not completely provided to the School Union #28 by union member municipalities as supplemental monies for union educational purposes over and above the funds

provided by the member union municipalities at the time of the forthcoming dissolution of School Union #28; provided further, that,

- VII. the Regional School District shall authorize its Superintendent annually to make available to School Union #28 consulting services from staff when they are reasonably available in the value of ten thousand dollars (\$10,000.00) commencing with the fiscal year beginning July 1, 1994, for the entire term of this Agreement of ten fiscal years; provided further, that the provision of such consulting services shall be subject to the approval of the Superintendent of the Regional School District and, further, that School Union #28 shall pay the Regional School District for the costs of substitutes for those employees for whom substitutes are customarily obtainable; provided further, that,
- VIII. the five member school committees of School Union #28, i.e., Erving, Leverett, New Salem, Shutesbury, and Wendell, shall seasonably vote to enter into this Agreement and dissolve the School Union #28 pursuant to the provisions of G.L. c. 71, s. 61, in order that the Department of Education can timely consent to the dissolution and approve the regionalization pursuant to G.L. c. 71, s. 15 and 603 CMR 41.00 et seq., for the fiscal year beginning July 1, 1994; and provided further, that,
- IX. all understandings, promises, and terms between the parties to this Agreement are embodied in this Agreement, there being no other understandings, promises, and terms; provided further, that,
- X. this Agreement shall be construed and interpreted under the law of the Commonwealth of Massachusetts.

SIGNED AND SEALED AND AUTHORIZED BY APPROPRIATE VOTE, by

AMHERST-PELHAM REGIONAL SCHOOL DISTRICT

SCHOOL UNION #28

ERVING SCHOOL COMMITTEE

LEVERETT SCHOOL COMMITTEE

NEW SALEM SCHOOL COMMITTEE

SHUTESBURY SCHOOL COMMITTEE

WENDELL SCHOOL COMMITTEE

OVERVIEW OF K-12 REGIONALIZATION vs. NON-REGIONALIZATION

NON-REGIONALIZATION (K-6) & (7-12):

Line #		AMHERST	PELHAM	LEVERETT	SHUTESBURY	TOTAL
1	FY95 Elementary Budgets (K-6)	\$10,763,715	\$622,613	\$840,240	\$923,400	\$13,149,968
2	Town Costs	0	0	97,000	180,000	277,000
3	TOTAL K-6 BUDGETS	\$10,763,715	\$622,613	\$937,240	\$1,103,400	\$13,426,968
4	Less: CH70 State Aid	3,326,320	19,785	69,271	132,415	3,547,791
5	TOTAL K-6 ELEMENTARY APPROPRIATIONS	\$7,437,395	\$602,828	\$867,969	\$970,985	\$9,879,177
6	FY95 Regional Budget (7-12)	\$10,346,490	\$781,880	\$1,025,481	\$942,971	\$13,096,823
7	Less: CH70 State Aid	3,971,830	206,636	368,709	372,069	4,919,244
8	Transportation Aid	439,464	33,210	43,557	40,052	556,284
9	Interest Earnings	47,400	3,582	4,698	4,320	60,000
10	Appropriated E&D	59,250	4,478	5,873	5,400	75,000
11	TOTAL 7-12 REGIONAL APPROPRIATIONS	\$5,828,546	\$533,975	\$602,645	\$521,130	\$7,486,295
12	TOTAL APPROPRIATIONS (K-6) and (7-12)	\$13,265,941	\$1,136,803	\$1,470,614	\$1,492,115	\$17,365,472

REGIONALIZATION (K-12):

Line #		AMHERST	PELHAM	LEVERETT	SHUTESBURY	TOTAL
1	Elementary Budget	\$10,763,715	\$622,613	\$840,240	\$923,400	\$13,149,968
2	Upgrade Costs	0	0	111,000	67,000	178,000
3	Town Costs	0	0	97,000	180,000	277,000
4	Other New Region Costs*	\$0	\$0	\$32,888	\$42,113	\$75,000
5	Total Elementary	\$10,763,715	\$622,613	\$1,081,128	\$1,212,513	\$13,679,968
6	Secondary Budget					\$13,096,823
7						\$26,776,791
		TOTAL K-12 BUDGET				
8	Enrollment % (\$ Distribution)	77.72%	5.75%	8.16%	8.37%	100.00%
9	Elementary Budget	10,632,372	786,569	1,115,747	1,145,280	13,679,968
10	Secondary Budget	10,179,139	753,040	1,068,185	1,096,459	13,096,823
11	TOTAL K-12 BUDGET	\$20,811,511	\$1,539,609	\$2,183,933	\$2,241,739	\$26,776,791
12	New Regional Aid	\$2,650,158	\$176,102	\$277,964	\$291,776	\$3,396,000
13	CH70 State Aid	7,298,150	226,421	437,980	504,484	8,467,035
14	Transportation Aid	432,356	31,985	45,371	46,572	556,284
15	Interest Earnings	46,633	3,450	4,894	5,023	60,000
16	Appropriated E&D	58,292	4,312	6,117	6,279	75,000
17	TOTAL APPLIED REVENUES	\$10,485,589	\$442,270	\$772,326	\$854,134	\$12,554,319
18	TOTAL K-12 APPROPRIATIONS	\$10,325,922	\$1,097,339	\$1,411,607	\$1,387,604	\$14,222,472

TOWN OF LEVERETT
REGIONALIZATION DATA
7-Mar-94

K-12 REGIONALIZATION	FY94	FY95	FY96	FY97	FY98
LEVERETT STUDENTS	323	326	345	358	394
REGIONAL ASSESS %		8.16%	8.19%	8.21%	8.18%
PROJECTED BUDGETS IN \$M @ 3% +.75 ENR GRWTH %					
SECONDARY	12.054	13.097	13.824	14.500	15.278
ELEMENTARY	12.477	13.680	14.439	15.145	15.958
LEVERETT BUDGET SHARE		2.185	2.315	2.434	2.555
AID, INCL TRANS		0.732	0.727	0.738	0.753
INTEREST AND E&D		0.011	0.011	0.011	0.011
ASSESSMENT % INCREASE	1.35	1.443 6.89%	1.577 9.28%	1.685 6.86%	1.792 6.33%

WITHOUT REGIONALIZATION

SECONDARY REG ASS %		7.84%	7.85%	7.87%	7.89%
BUDGET IN \$M	12.054	13.097	14.122	15.158	16.285
LEVERETT BUDGET SHARE		1.027	1.109	1.193	1.285
AID, INCL TRANS		.414	.404	.410	.424
INT INCOME AND E&D		0.011	0.011	0.011	0.011
7-12 ASSESSMENT % INCREASE	0.526	0.603 14.66%	0.695 15.21%	0.773 11.26%	0.85 9.95%
K-6 BUDGET LESS AID	0.824	0.867	0.918	0.943	0.969
TOTAL COST, K-12 % INCREASE	1.350	1.470 8.89%	1.613 9.73%	1.716 6.39%	1.819 6.00%

PROJECTING THE REGIONAL FORMULA - WITHOUT REGIONALIZATION

3-Mar-94

		FY94	FY95	FY96	FY97	FY98
STUDENTS	A	1327	1418	1500	1570	1615
	P	76	82	89	100	107
	L	132	130	141	152	189
	S	129	142	156	173	202
	TOTAL	1664	1772	1886	1995	2113
REG ASS %	A		79.00%	79.30%	79.30%	79.28%
	P		5.97%	5.49%	5.20%	5.09%
	L		7.84%	7.85%	7.87%	7.89%
	S		7.20%	7.36%	7.64%	7.92%
BUDGET,\$M						
@3%+.75 Err Growth		12.054	13.097	14.122	15.158	16.285
AMHERST	BUDG SHARE		10.347	11.199	12.020	12.911
	BASE AID		3.371	3.404	3.442	3.481
	MIN AID		.033	.038	.039	.040
	INT INCOME		.047	.048	.048	.048
	E&D APPLIED		.059	.059	.059	.059
	EQUITY AID		.568	.677	.790	.897
	TRANS AID		.450	.461	.470	.470
	ASSESSMENT	5.321	5.818	6.512	7.173	7.915
	% INCREASE		9.34%	11.92%	10.15%	10.35%
PELHAM	BUDG SHARE		.782	.775	.788	.829
	BASE AID		.204	.207	.209	.211
	MIN AID		.002	.002	.003	.003
	INT INCOME		.004	.003	.003	.003
	E&D APPLIED		.004	.004	.004	.004
	EQUITY AID		.000			
	TRANS AID		.034	.036	.039	.041
	ASSESSMENT	.436	.533	.523	.531	.567
	% INCREASE		22.32%	-1.85%	1.42%	6.89%
LEVERETT	BUDG SHARE		1.027	1.109	1.193	1.285
	BASE AID		.350	.353	.357	.360
	MIN AID		.003	.004	.004	.005
	INT INCOME		.005	.005	.005	.005
	E&D APPLIED		.006	.006	.006	.006
	EQUITY AID		.016			
	TRANS AID		.045	.047	.049	.059
	ASSESSMENT	.526	.603	.695	.773	.850
	% INCREASE		14.66%	15.21%	11.26%	9.95%
SHUTESBURY	BUDG SHARE		.943	1.039	1.158	1.290
	BASE AID		.336	.339	.343	.347
	MIN AID		.003	.004	.004	.005
	INT INCOME		.004	.004	.005	.005
	E&D APPLIED		.005	.006	.006	.006
	EQUITY AID		.033	.043	.056	.064
	TRANS AID		.041	.044	.047	.053
	ASSESSMENT	.466	.520	.600	.698	.810
	% INCREASE		11.73%	15.33%	16.28%	16.07%

PROJECTING THE REGIONAL FORMULA - IF REGIONALIZED

6-Mar-94

		FY94	FY95	FY96	FY97	FY98
STUDENTS	A	3082	3176	3271	3353	3418
	P	204	210	217	221	227
	L	323	326	345	358	394
	S	338	351	368	375	404
	TOTAL	3947	4063	4201	4307	4443
REG ASS%	A		77.72%	77.82%	77.86%	78.00%
	P		5.75%	5.56%	5.39%	5.27%
	L		8.16%	8.19%	8.21%	8.18%
	S		8.37%	8.43%	8.54%	8.55%
BUDGET,\$M						
REG@3%+.7:5% Enr Grth		12.054	13.097	13.824	14.500	15.278
K-6@3%+.75 % Enr Grth		12.477	13.680	14.439	15.145	15.958
AMHERST	BUDG SHARE		20.811	21.994	23.082	24.365
	BASE AID		8.460	8.536	8.618	8.702
	MIN AID		.076	.082	.084	.085
	INT INCOME		.047	.047	.047	.047
	E&D APPLIED		.058	.058	.058	.059
	EQUITY AID		1.413	.681	.737	.787
	TRANS AID		.432	.443	.456	.465
	ASSESSMENT	12.485	10.325	12.146	13.082	14.221
	% INCREASE		-17.30%	17.64%	7.70%	8.70%
PELHAM	BUDG SHARE		1.540	1.571	1.598	1.646
	BASE AID		.397	.402	.408	.413
	MIN AID		.005	.005	.006	.006
	INT INCOME		.003	.003	.003	.003
	E&D APPLIED		.004	.004	.004	.004
	EQUITY AID		.000			
	TRANS AID		.032	.033	.034	.035
	ASSESSMENT	1.012	1.098	1.123	1.144	1.186
	% INCREASE		8.49%	2.31%	1.82%	3.67%
LEVERETT	BUDG SHARE		2.185	2.315	2.434	2.555
	BASE AID		.663	.671	.680	.689
	MIN AID		.008	.009	.009	.010
	INT INCOME		.005	.005	.005	.005
	E&D APPLIED		.006	.006	.006	.006
	EQUITY AID		.016			
	TRANS AID		.045	.047	.049	.054
	ASSESSMENT	1.350	1.443	1.577	1.685	1.792
	% INCREASE		6.89%	9.28%	6.86%	6.33%
SHUTESBURY	BUDG SHARE		2.241	2.383	2.532	2.671
	BASE AID		.762	.771	.780	.789
	MIN AID		.009	.009	.009	.010
	INT INCOME		.005	.005	.005	.005
	E&D APPLIED		.006	.006	.006	.006
	EQUITY AID		.104	.000	.000	.029
	TRANS AID		.047	.049	.050	.054
	ASSESSMENT	1.390	1.309	1.542	1.681	1.777
	% INCREASE		-5.86%	17.85%	8.98%	5.73%

AMHERST-PELHAM-LEVERETT-SHUTESBURY
ENROLLMENT HISTORY, 1987 -1994

K-6 ENROLLMENTS

YEAR	AMH	PEL	LEV	SHUT
1987-88	1328	98	151	135
1988-89	1443	106	147	145
1989-90	1558	121	153	164
1990-91	1642	113	174	181
1991-92	1691	110	195	196
1992-93	1693	119	193	215
1993-94	1755	128	191	209

7-12 ENROLLMENTS (OCT 1)
AND ACTUAL PERCENTAGES OF STUDENTS
COMPARED TO FIVE YEAR ROLLING AVERAGE PERCENTAGES

1990-91	1172	83	108	111
actual	79.51%	5.63%	7.33%	7.53%
5 yr rolling*	79.89%	6.75%	7.72%	5.65%
1991-92	1173	91	110	106
actual	79.26%	6.15%	7.43%	7.16%
5 yr rolling	79.37%	6.77%	7.85%	6.01%
1992-93	1225	73	126	120
actual	79.34%	4.73%	8.16%	7.77%
5 yr rolling	79.09%	6.59%	7.83%	6.49%
1993-94	1315	76	131	129
actual	79.65%	4.60%	7.93%	7.81%
5 yr rolling	78.88%	6.46%	7.78%	6.88%
1994-95				
5 yr rolling	79.00%	5.97%	7.84%	7.20%

* 5 year rolling averages are based on end of year FTE enrollments ending with previous fiscal year

REG ENROLLMENT PROJECTIONS

GRADE 7-12 PROJECTIONS BY TOWN
CALCULATED ON MARCH 3, 1994

SURVIVAL FACTORS 1.029 1.021 0.985 1.098 0.951 0.904

PREV

GRADE 6 GRADE 7 GRADE 8 GRADE 9 GRAD 10 GRAD 11 GRAD 12 TOTAL

1993-4	A	245	273	231	216	227	198	182	1327
	P	14	12	11	20	11	11	11	76
	L	26	23	28	22	18	12	29	132
	S	28	28	24	18	26	15	18	129
	TOT	313	336	294	276	282	236	240	1664
1994-5	A	272	280	279	228	237	216	179	1418
	P	16	16	12	11	22	10	10	82
	L	26	27	23	28	24	17	11	130
	S	31	32	29	24	20	25	14	142
	TOT	345	355	343	290	303	268	213	1772
1995-6	A	262	270	286	275	250	226	195	1500
	P	17	17	17	12	12	21	9	89
	L	21	22	27	23	30	23	15	141
	S	27	28	33	28	26	19	22	156
	TOT	327	336	362	338	318	288	242	1885
1996-7	A	263	271	275	281	301	238	204	1570
	P	22	23	18	17	13	11	19	100
	L	27	28	22	27	25	29	21	152
	S	39	40	28	32	31	25	17	173
	TOT	351	361	344	357	371	302	261	1996
1997-8	A	256	263	269	265	291	277	250	1615
	P	17	17	18	18	19	18	17	107
	L	30	31	32	31	34	32	29	189
	S	32	33	34	33	36	35	31	202
	TOT	335	345	352	347	381	362	327	2113
1998-9	A	275	283	289	285	312	297	269	1735
	P	14	14	15	14	16	15	14	88
	L	36	37	38	37	41	39	35	227
	S	32	33	34	33	36	35	31	202
	TOT	357	367	375	369	406	386	349	2252

ELEM ENROLLMENT PROJ

ELEMENTARY ENROLLMENT PROJECTIONS

14-Feb-94

SHUTESBURY	K	1	2	3	4	5	6	TOTAL
1993-94	26	27	29	30	39	27	31	209
1994-95	25	28	27	30	32	40	27	209
1995-96	25	27	29	28	32	32	39	212
1996-97	25	27	27	30	30	32	32	203
1997-98	25	27	27	29	31	30	32	202
1998-99	25	27	27	29	30	32	30	200

LEVERETT	K	1	2	3	4	5	6	TOTAL
1993-94	20	28	35	31	28	23	26	191
1994-95	23	22	32	37	31	30	21	196
1995-96	23	25	25	34	37	33	27	204
1996-97	23	25	29	26	34	39	30	206
1997-98	23	25	29	30	26	36	36	205
1998-99	23	25	29	30	30	28	33	198

PELHAM	K	1	2	3	4	5	6	TOTAL
1993-94	24	17	15	17	22	17	16	128
1994-95	18	24	16	14	17	23	17	128
1995-96	18	18	22	15	14	17	22	128
1996-97	18	18	17	21	15	15	17	121
1997-98	18	18	17	16	21	16	14	120
1998-99	18	18	17	16	16	22	15	122

AMHERST	K	1	2	3	4	5	6	TOTAL
1993-94	223	265	252	239	252	252	272	1755
1994-95	234	236	271	257	245	252	262	1758
1995-96	234	248	241	276	264	246	263	1771
1996-97	234	248	253	246	283	264	256	1783
1997-98	234	248	253	258	252	284	275	1803
1998-99	234	248	253	258	265	253	295	1805

K-12 REGIONALIZATION SUMMARY OF PROPOSED CHANGES

Section I: Expands the Region from grades 7-12 to grades K-12 (including the option to provide pre-K services).

Section II: Expands the Regional School Committee to 7 members from Amherst and 2 members each from Leverett, Pelham and Shutesbury (a total of 13).

Provides for members from Amherst to be elected and members from Leverett, Pelham and Shutesbury to be appointed by their respective Selectboards.

Affirms the intention of the Regional School Committee to encourage the participation of School Councils to advise about the needs of member schools.

Section VI: Describes manner of apportioning costs within the budget.

Describes ownership of elementary schools by respective towns and lease of schools to the Region annually. Towns are responsible for cost of capital improvements to buildings they own (definition of capital and operating costs-Sections VI B and C, p. 4-5.) With approval of member Town's Selectboard, Regional School Committee can undertake emergency repairs needed for the health, safety or welfare of building occupants (VI G, p. 6).

Section VII: Describes the formula for determining assessments to each of the Towns. Each Town's designated amount of State Aid and its proportionate share of revenues to the Region are subtracted from its proportionate part of the total costs of operating the Region, in order to determine its assessment for operating costs. To this amount is added the Town's share of transportation, debt service and capital costs. The budget is unitary, meaning that the total costs of operating the Region are shared among the four Towns on a per pupil basis, based on a five year rolling average enrollment (VII E, p. 7).

Provides for adoption of budget by vote of 2/3 of Regional School Committee (VII C, p. 7).

Section IX: Provides for the movement of pre-K and elementary students across Town lines only by a majority vote of Regional School Committee, including majority votes of members of sending and receiving Towns (IX E, p. 9).

Section XIII: Provides for the creation of a administrative position for at least three years to coordinate the incorporation of Leverett, Pelham and Shutesbury elementary schools into the Region.

Section XVIII: Provides that for the first year of regionalization all elementary schools in the Region will function essentially as they have previously.

Establishes a Regional Transition Study Group to review philosophy, curriculum, programs, staffing, student assessment and SPED practices of the elementary schools. The Study Group will make recommendations on how to share and replicate the strengths of all the schools within the Region.

SALARY SCALE COMPARISON BETWEEN LEVERETT ELEMENTARY SCHOOL,
OTHER UNION #28 SCHOOLS AND AMHERST-PELHAM SCHOOLS

In the chart below B= B.A. degree, M= Masters degree, and the numbers 1 and 5 refer to being hired at entry-level or with five years experience.

	<u>LEVERETT</u>	<u>SWIFT RIVER</u>	<u>ERVING</u>	<u>SHUTESBURY</u>	<u>AMH/PEL</u>
<u>TEACHERS</u>					
B1	\$ 20,139	\$21,969	\$21,969	\$22,597	\$22,508
B5	24,167	24,726	24,726	27,577	26,993
M1	20,586	23,067	24,223	23,654	24,193
M5	24,614	25,963	27,261	28,635	28,678
<u>PRINCIPAL</u> present salaries					Range: 45,000- 59,000
	44,290	43,272	47,862	49,798	
<u>SECRETARY</u>					
Step 1	7.29/hr	7.03/hr	8.05/hr	8.27/hr	9.38/hr
Step 5	8.92	8.33	9.90	9.75	10.97
<u>INSTRUCTIONAL AIDE</u>					
Step 1	7.29/hr	7.27/hr	7.29/hr	8.09/hr	7.49/hr
Step 5	8.95	8.84	8.83	9.91	8.76
<u>CAFETERIA MANAGER</u>					
Step 1	7.19/hr	8.49/hr	7.85/hr	8.06/hr	9.20/hr
Step 5	8.40	9.13	8.84	9.07	9.77
<u>CUSTODIAN</u>					
Step 1	9.82/hr	8.07/hr	9.89/hr	9.80/hr	10.41/hr
Step 5	11.28	9.57	11.14	11.09	11.61

The amount needed to bring current Leverett staff in line with salaries negotiated by Amherst- Pelham employees is an estimated \$70,805. In addition Leverett staffing was compared with Amherst- Pelham and it seems that we offer less in some areas (art, music, librarian, reading specialist, guidance, instrumental music) and more in others (PE, sped, nurse.) To balance out these areas would cost an additional \$31,122. The total is around \$111,927.

MARCH 11, 1994

FIGURES OBTAINED FROM CENTRAL OFFICE, SCHOOL UNION #28
AND FROM CENTRAL OFFICE, AMHERST- PELHAM REGIONAL SCHOOLS.

LEVERETT STUDENT ENROLLMENT (K-12) FROM 1983-1994
PROJECTED ENROLLMENT FROM 1994 - 1999

<u>YEAR</u>	<u>NUMBER K-6</u>	<u>NUMBER 7-12</u>	<u>TOTAL</u>
1983-1984	118	130	248
1984-1985	125	129	254
1985-1986	125	135	260
1986-1987	149	138	287
1987-1988	146	133	279
1988-1989	157	124	281
1989-1990	151	115	266
1990-1991	170	109	279
1991-1992	194	110	304
1992-1993	196	127	323
1993-1994	194	132	326
PROJECTED ENROLLMENTS			
1994-1995	192	130	322
1995-1996	205	141	346
1996-1997	(200)?	152	352
1997-1998	(200)?	189	389
1998-1999	(200)?	227	427 (42% increase from '83-'84)

March 11, 1994

Figures obtained from records at Leverett Elementary School and
at Amherst-Pelham Regional School Central Office

Junior High Roof
Debt

Forms delivered to
Paul Carlson
5-13-94

1871

1872

DA-82 LOAN AUTHORIZATION REPORT FORM

Town/District: LEVERETT

INFORMATION CONCERNING ~~ANNUAL~~ MEETING CALLED FOR March 14, 1994
SPECIAL

Article I passed on March 14, 1994 authorizing a loan of
\$ Leverett's share of \$750,000 for roof at Regional Junior High School
for

ATTESTED COPY OF WARRANT:

Posted: Date February 28, 1994 Places* as listed on warrant

Published in newspaper: Date(s) n.a.

Warrant or notice mailed: Date 3/4/94

To whom: every Leverett household

Additional Notification Requirements: none Were these met?

VOTE COUNT (Unanimous or Actual Vote Count): Unanimous

PLEASE ATTACH CERTIFIED COPY OF THE VOTE AS PASSED
PLEASE ALSO ATTACH RESULTS OF DEBT EXCLUSION VOTE, IF ANY

SPECIAL REQUIREMENTS FOR ADJOURNED SESSION:

Warrant or notice of adjournment:

Posted: Date n.a. Places*

Published: Date(s) Mailed: Date

Additional Requirements Were these met?

QUORUM:

Number or percentage required: 5% Was quorum present? yes

Finance/Advisory) Committee meeting posted: Date n.a.

If vote subject to referendum, were requirements met? n.a.

Is litigation pending which would affect the validity of this vote? no

I hereby certify that this information
is correct to the best of my knowledge.

5/13/94 D'Ann Sauer Kelty
Town or District Clerk

* If Places are Specified by By-Law or Vote, list actual places posted.

Debt Section

Division of Local Services

P.O. Box 9655

Boston, MA 02114-9655

Tel: (617) 727-2300 ext. 509 or 510

FAX: (617) 727-6432

TOWN OF LEVERETT SPECIAL TOWN MEETING
MARCH 14, 1994

Franklin, SS.

To one of the Constables of Leverett:

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, to meet in the LEVERETT ELEMENTARY SCHOOL GYMNASIUM at said Leverett, on Monday, March 14, 1994, at 7:30 in the evening (7:30 PM), then and there to act on the following articles, namely:

Article One: To see if the Town will vote to approve Leverett's amount of the \$750,000 debt authorized on February 22, 1994 by the Amherst-Pelham Regional School District School Committee for the purpose of financing costs of reconstructing the roof of the District Junior High School, including costs incidental and related thereto contingent on a debt exclusion override election.

Article Two: To see if the Town will vote to approve an amendment to the Agreement establishing the Amherst-Pelham Regional School District proposed by the Regional District School Committee, which proposed amendment provides for the expansion of the District to include all of the grades kindergarten through grade 12 in all of the member towns and amends and restates the existing Agreement, as amended, in its entirety. A copy of the proposed Amendment is on file with the Town Clerk.

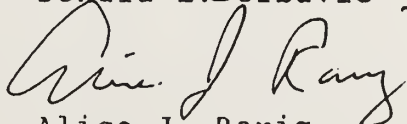
And you are directed to serve this Warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, fourteen days at least before the day of said meeting.

Given under our hands this twenty-eighth day of February, A.D. 1994.

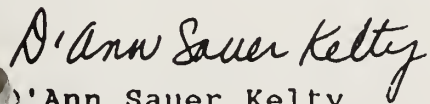
SELECTBOARD OF LEVERETT


Fenna Lee Bonsignore


Donald L. Gibavic


Alice J. Rarig

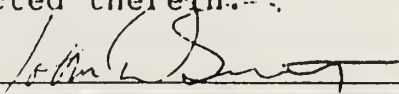
A true copy I attest:


D'Ann Sauer Kelty
Town Clerk

A TRUE COPY ATTEST:


D'Ann Sauer Kelty
Leverett Town Clerk

I have served this Warrant as directed therein:-

Date: 2/28/94 Constable 



TOWN OF LEVERETT
Massachusetts 01054

TOWN OF LEVERETT
OVERRIDE ELECTION
MARCH 19, 1994

The Town of Leverett held a debt exclusion override election on March 19, 1994 between the hours of 9am and 1pm. Results of this election are as follows:

Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amount required to pay Leverett's share of the bond issued in order to reconstruct the Amherst-Pelham Regional Junior High School roof?

Yes: 47 No: 18

A true copy attest:

D'Ann Sauer Kelty

D'Ann Sauer Kelty
Town Clerk

TOWN OF LEVERETT, MASSACHUSETTS

I, the undersigned, Town Clerk of the Town of Leverett, Massachusetts (the "Town") hereby certify that notice of the amount of the \$750,000 principal amount of debt authorized by vote of the Amherst-Pelham Regional District School Committee on February 22, 1994, and of the purposes for which such debt was authorized (i.e., reconstructing the roof of the District Junior High School) was given to the Board of Selectmen of the Town not later than seven days after said date, and I further certify that except for the Town meeting held on March 14, 1994, no Town meeting was called or held in the Town under the provisions of Section 16(d) of Chapter 71 of the General Laws, as amended, for the purpose of expressing approval or disapproval of the amount of such debt authorized as aforesaid.

I further certify that attached hereto is a true copy of the action taken by the Town with respect to the aforesaid authorized debt at the aforesaid Town meeting.

Dated: May 13, 1994, 1994

D. Ann Sauer Kelty
Town Clerk

(TOWN CLERK)

TOWN OF LEVERETT SPECIAL TOWN MEETING
MARCH 14, 1994

Franklin, SS.

To one of the Constables of Leverett:

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, to meet in the LEVERETT ELEMENTARY SCHOOL GYMNASIUM at said Leverett, on Monday, March 14, 1994, at 7:30 in the evening (7:30 PM), then and there to act on the following articles, namely:

Article One: To see if the Town will vote to approve Leverett's amount of the \$750,000 debt authorized on February 22, 1994 by the Amherst-Pelham Regional School District School Committee for the purpose of financing costs of reconstructing the roof of the District Junior High School, including costs incidental and related thereto contingent on a debt exclusion override election.

Article Two: To see if the Town will vote to approve an amendment to the Agreement establishing the Amherst-Pelham Regional School District proposed by the Regional District School Committee, which proposed amendment provides for the expansion of the District to include all of the grades kindergarten through grade 12 in all of the member towns and amends and restates the existing Agreement, as amended, in its entirety. A copy of the proposed Amendment is on file with the Town Clerk.

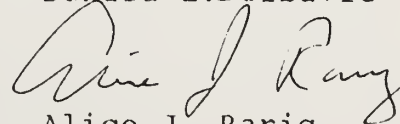
And you are directed to serve this Warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, fourteen days at least before the day of said meeting.

Given under our hands this twenty-eighth day of February, A.D. 1994.

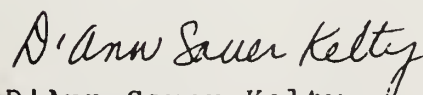
SELECTBOARD OF LEVERETT


Fenna Lee Bonsignore


Donald L. Gibavic


Alice J. Rarig

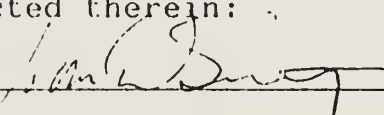
A true copy I attest:


D'Ann Sauer Kelty
Town Clerk

A TRUE COPY ATTEST:


D'Ann Sauer Kelty
Leverett Town Clerk

I have served this Warrant as directed therein:

Date: 2/28/94 Constable 



TOWN OF LEVERETT
Massachusetts 01054

May 13, 1994

This is to certify that at a Special Town Meeting of the Town of Leverett Massachusetts, held on March 14, 1994, a quorum being present, the following action was taken:

Motion: I move that the Town vote to appropriate Leverett's amount of the \$750,000 debt authorized on February 22, 1994 by the Amherst-Pelham Regional School District School Committee for the purpose of financing costs of reconstructing the roof of the District Junior High School, including costs incidental and related thereto contingent on a debt exclusion override election.

The motion was seconded and passed unanimously,

A true copy attest:

D'Ann Sauer Kelty

D'Ann Sauer Kelty
Town Clerk

TOWN OF LEVERETT, MASSACHUSETTS
CERTIFICATE OF THE TOWN CLERK

I, the undersigned Town Clerk of the Town of Leverett, Massachusetts, hereby certify that attached hereto is a true and correct copy of the most recent compilation of all the By-Laws of the Town relating in any way to calling or conducting town meetings, to borrowing money, to the authorization, approval or carrying out of capital projects, to the form, issuance or sale of bonds or notes of the Town or to the duties of the Finance Committee, and that since the date of this compilation, the Town has adopted no amendments to or changes in its By-Laws that relate in any way to the foregoing matters, except as listed below:

none

I further certify that the Town has taken no action to adopt a Home-Rule Charter, except as listed below:

none

I further certify that except as set forth in the By-Laws, there are no standing votes or other rules of the Town presently in effect relating to any of the matters listed above, except as listed below;

Date: May 13, 1994

D'Ann Sauer Kelley
Town Clerk

(TOWN SEAL)

Chapter 41

TOWN MEETINGS

- § 41-1. Town's legislative powers; quorum requirement
- § 41-2. Moderator; Assistant Moderator.
- § 41-3. Powers and responsibilities.
- § 41-4. Date and hour of meetings.
- § 41-5. Petition for Warrant Article.
- § 41-6. Deadline for submission of Articles and budgets.
- § 41-7. Rules of procedure.
- § 41-8. Motion to dissolve meeting.
- § 41-9. Separation of voters and nonvoters.

[HISTORY: Adopted by the Town of Leverett as Art. 2 of the General Bylaws. Amendments noted where applicable.]

GENERAL REFERENCES

Administration — See Ch. 3.
Board of Selectmen — See Ch. 5.
Boards and commissions — See Ch. 7.

§ 41-1. Town's legislative powers; quorum requirement

- A. The legislative powers of the town shall be exercised by a Town Meeting open to all registered voters of the town.
- B. The quorum necessary for initiation of Annual Town Meeting business or Town Meetings considering bylaw changes or bond issues shall be at least five percent (5%) of the registered voters of the town.

§ 16-1

FINANCES

§ 16-2

Chapter 16

FINANCES

§ 16-1. Applicability of statute.

§ 16-2. Finance Committee provisions.

§ 16-3. Budget preparation.

§ 16-4. Action on budget

§ 16-5. Adoption of budget

§ 16-2

LEVERETT CODE

§ 16-5

B. The Finance Committee shall consider any Articles having financial implications in warrants for all Town Meetings and shall report its recommendations in print before each meeting and each vote.

C. The Committee shall carry out its duties in accordance with the provisions of General Law and this chapter.

§ 16-3. Budget preparation.

Within the period prescribed by General Law, the Board of Selectmen shall prepare and assemble a proposed budget for the ensuing fiscal year, indicating proposed expenditures for both current operations and long-range capital improvements during the ensuing year, detailed by purpose, office, department and commission.

§ 16-4. Action on budget.

The Finance Committee shall conduct one (1) or more public hearings on the proposed budget and shall issue its recommendations thereon prior to or at the Annual Town Meeting. In preparing its recommendations, the Committee may require any town department, board, commission or office to furnish it with appropriate financial reports and budgetary information.

§ 16-5. Adoption of budget

The Town Meeting shall consider the proposed budget and shall complete action upon it, with or without amendments, at its annual session. The budget as adopted shall be a public record, and copies shall be kept available for inspection at the office of the Town Clerk.

[HISTORY: Adopted by the Town of Leverett as Art. 5, Secs. 1 through 5, of the General Bylaws. Amendments noted where applicable.]

GENERAL REFERENCES

Administration — See Ch. 3.

Boards and commissions — See Ch. 7.

Capital Planning Committee — See Ch. 10.

§ 16-1. Applicability of statute.

In all matters concerning finances and financial procedures of the town, the provisions of General Law shall apply, together with such other requirements as are provided through this chapter.

§ 16-2. Finance Committee provisions.

A. Members of the Finance Committee shall serve without compensation, and no member may hold any other elective or appointive town position during his term of office.

MINUTES

Selectboard Meeting

February 28, 1994

Present: Fenna Lee Bonsignore, Don Gibavic, Alice Rarig

The board met briefly at LES prior to the open forum on Regionalization. Special Town Meeting warrant was signed.

After the open forum, the board reconvened at the Town Hall.

V-plow: Will knows someone interested in buying the old v-plow which is behind the garage. Bob Martin, a greenfield farmer has offered \$75. Will said that it has not been used in about 40 years and is of no use to the Town. Board approved the sale unanimously.

The board signed Chapter 90 paperwork, and warrants from the land acquisition trust and the Kimball trust.

Health insurance: The board looked at health insurance options for next year. Alice moved that the Town recommend to the county insurance advisory committee to offer Master Medical through Blue Cross/Blue Shield in lieu of Master Health Plus. Motion passed unanimously.

Pond: Alice explained that the state agency monitoring grant monies has asked for amplification of the application. She and Thom Levy had worked on this. Joyce Stowell contacted Don about the church's property. They are wondering if the town would consider paving the parking area and driveway in exchange for the land. The board would have to consider this request in light of cost, future maintenance, etc. They also need to talk with ConComm about parking at the Holmes land.

Junior High roof: The board agreed unanimously to endorse the borrowing article for the March 14 Special Town Meeting and to call for a debt exclusion override election for this debt on March 19, 1994.

Regionalization: Based on tonight's presentation, the board voted unanimously to support regionalization, although there were some reservations.

The board will meet with Will on March 21 to discuss his budget.

The board asked D'Ann to call Amherst to see if they pay malpractice insurance for their nurses.

Minutes recorded and submitted by D'Ann Kelty, clerk to the board.

A TRUE COPY ATTEST:

D'Ann Sauer Kelty
D'Ann Sauer Kelty
Leverett Town Clerk

LEVERETT ELECTION WARRANT

MARCH 19, 1994

Franklin, SS.

To one of the constables of Leverett
GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, to vote in the Town Hall at said Leverett on Saturday, the 19th day of March next, at 9:00 in the morning (9:00 am), to 1:00 in the afternoon (1:00 pm) then and there to vote on the following Article, namely:

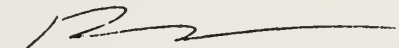
Article One: Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amounts required to pay for Leverett's share of the bond issued in order to reconstruct the Amherst-Pelham Regional Junior High School roof.

Yes _____

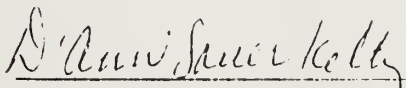
No _____

And you are directed to serve this warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moore's Corner, seven days at least before the day of said meeting. Hereof, fail not and make return of this warrant with your doings thereon at time and place of said meeting. Given under our hands this seventh day of March, A.D. 1994.

SELECTBOARD OF LEVERETT


Fenna Lee Bonsignore

A true copy I attest:


Town Clerk

Donald L. Gibavie


Alice J. Rarig

I have served this warrant as directed therein.

Dated: 3/8/94 Constable: Ethan V. Howard

A TRUE COPY ATTEST:



D'Ann Sauer Kelty
Leverett Town Clerk

TO VOTE, MARK AN ☒ IN THE
APPROPRIATE BOX. MARK ONLY ONE BOX.

Shall the Town of Leverett be allowed
to exempt from the provisions of
Proposition 2½, so-called, the amount
required to pay Leverett's share of the
bond issued in order to reconstruct the
Amherst-Pelham Regional Junior High School
roof.

YES

☐

NO

☐

Commonwealth
of
Massachusetts

Official Ballot

FOR

**TOWN
OF LEVERETT**

SATURDAY, MARCH 19, 1994

D'Ann Sauer Kelty

TOWN CLERK

A TRUE COPY ATTEST:

D'Ann Sauer Kelty

D'Ann Sauer Kelty
Leverett Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

TOWN OF LEVERETT
OVERRIDE ELECTION
MARCH 19, 1994

The Town of Leverett held a debt exclusion override election on March 19, 1994 between the hours of 9am and 1pm. Results of this election are as follows:

Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amount required to pay Leverett's share of the bond issued in order to reconstruct the Amherst-Pelham Regional Junior High School roof?

Yes: 47 No: 18

A true copy attest:

D'Ann Sauer Kelty

D'Ann Sauer Kelty
Town Clerk

Paul R. Carlson
Treasurer/Business Manager
Amherst-Pelham Regional School District

February 28, 1994

Board of Selectmen
Town of Amherst
Town of Pelham
Town of Leverett
Town of Shutesbury

Dear Selectboard:

Per the conditions of Chapter 71 Section 15 of the General Laws you are hereby notified of the February 22, 1994 vote of the Amherst-Pelham Regional School District School Committee to incur debt, in an amount not to exceed seven hundred and fifty thousand dollars (\$ 750,000), for the purpose of financing costs of reconstructing the roof of the District Junior High School, including costs incidental and related thereto.

Sincerely,

Paul R. Carlson
Treasurer/Business Manager

TOWN OF LEVERETT

SPECIAL VOTER REGISTRATION SESSIONS

IN ANTICIPATION OF THE UPCOMING

SPECIAL TOWN MEETING TO BE
HELD ON MONDAY MARCH 14, 1994

AND THE SCHEDULED

DEBT EXCLUSION OVERRIDE ELECTION TO BE
HELD ON SATURDAY MARCH 19, 1994

THE TOWN CLERK HAS SCHEDULED SPECIAL VOTER REGISTRATION SESSIONS AS
FOLLOW:

SATURDAY, FEBRUARY 26	9AM-1:00PM	Sanders residence, 132 Cave Hill Rd
	1PM-5PM	Kelty residence, 16 Juggler Meadow
MONDAY, FEBRUARY 28	6PM-8PM	Blinn residence, 3 Dudleyville Rd
	8PM-10PM	Town Hall
FRIDAY, MARCH 4:	9AM-2:30PM	Town Clerk's Office, Town Hall
	3PM-8PM	Sanders residence, 132 Cave Hill Rd

YOU MUST BE REGISTERED BY FEBRUARY 28 IN ORDER TO VOTE AT THE DEBT
EXCLUSION ELECTION AND BY MARCH 4 TO VOTE AT THE SPECIAL TOWN MEETING.

You may also register to vote at the Town Hall during regular Town
Clerk's hours (Monday and Friday: 9am-2:30pm; Wednesday: 9am-12:30pm;
Monday evening: 6pm-7:30pm)

AMHERST-PELHAM

Regional SCHOOL DISTRICT

AMHERST, MASSACHUSETTS

SCHOOL ADMINISTRATION OFFICES
170 CHESTNUT STREET
AMHERST, MASSACHUSETTS 01002

February 7, 1994

Fenna Lee Bonsignore, Chair
Leverett Select Board
172 Long Plain Road
Leverett, MA 01054

Dear Fenna,

I am writing to convey formally the requests by the Amherst-Pelham Regional School Committee, the K-12 Regionalization Planning Board and the Regional School Building Committee for a special Town Meeting in March, 1994 for the following purposes:

1. K-12 REGIONALIZATION. The date by which communities may apply for K-12 regionalization of their school districts has been extended to April 1, 1994. All indications by the State Department of Education are this will be the last opportunity for our four communities to consider such regionalization. The three main benefits to regionalization are improved education to students system-wide, administrative efficiencies, and increased State aid to the new region benefitting all four towns. A more detailed statement on regionalization is enclosed with this letter.
2. JUNIOR HIGH SCHOOL ROOF. The junior high roof was constructed in 1967-68 and the school opened in 1969. The roofs - there are three separate buildings involved - were evaluated by an architectural firm in 1992 and a copy of their evaluation is enclosed. Since their study we have experienced significant further deterioration of the largest roof over the classrooms - Building C. We need to replace the Building C roof during the

summer of 1994 and the other roofs in the summer of 1995. It is our intention to seek approval from all four towns for authority to borrow the sum needed for this work. The estimated costs of just replacing the roofs is about \$570,000 plus architectural fees and any upgrading required by changes in building codes. There is the possibility of some additional insulation and structural work being needed in this regard. Therefore, we will seek authority for \$750,000 to provide for these contingencies if needed.

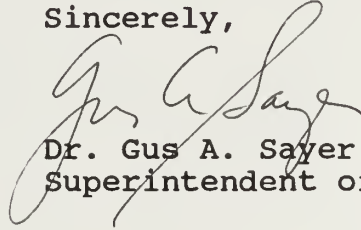
3. HIGH SCHOOL ADDITION/RENOVATION PROJECT. The Regional School Building Committee has determined it is not feasible to try to meet the State's annual deadline for construction proposals of June 1, 1994. Therefore, the Committee will not be requesting funds at the March special town meetings. However, it would like to take the opportunity to present a status report on this project to each of the regional communities. The next target date set by the Regional School Building Committee for funding requests is the annual spring town meeting in each town. THE REGIONAL SCHOOL BUILDING COMMITTEE WOULD LIKE TO INVITE YOU TO A MEETING FOR REGIONAL TOWN SELECTBOARDS AND FINANCE COMMITTEE MEMBERS AT 7:30 PM, MARCH 1, AT THE REGIONAL HIGH SCHOOL TO SHARE THE STATUS OF THIS PROJECT WITH YOU AND INVITE YOUR COMMENTARY. If this date and time conflict with a meeting of your board, perhaps you could send a representative to the meeting. Your consideration of this request will be appreciated.

Informal conversations with officials or offices in each town indicate the following tentative dates may be set for the March special town meetings: Amherst - March 14, Pelham - March 16, Leverett - March 14, and Shutesbury - March 15. I would appreciate the earliest reasonable confirmation of these or other dates selected along with a statement of what additional requirements you have of us and when they are needed.

We appreciate the flexibility and cooperation we have received to date in considering these important matters. Please feel free to call either myself or Ron Bell, Assistant Superintendent if we can be of further assistance to you in moving ahead.

Thank you.

Sincerely,



Dr. Gus A. Sayer
Superintendent of Schools

Enclosures: Regionalization Materials
Architect's Estimates for Jr. High Roof Replacement

cc: KVorwerk Feldman, Chair/Regional School Committee
TFanning, Chair/K-12 Regionalization Planning Board
MHowes/JHanson/Co-Chairs Regional School Building Committee
LLubinsky, Superintendent/Union 28
BDelCastilho, Amherst Town Manager

5488148

Comparison of FY- 94 vs. FY-95 With Regionalization

Leverett
14-Mar-94

1	Assumptions	Amherst	Pelham	Leverett	Shutesbury	Total
2	Budget Percentages	0.7772	0.0575	0.0816	0.0837	1.0000
3	New Aid Percentages	0.7804	0.0519	0.0819	0.0859	1.0000
4	Debt Percentages	0.7732	0.0644	0.0840	0.0784	1.0000
5	Health care costs for Leverett					
6						
7						
8						
9	FY 95					
10	Budgets					
11	K-6 (L & S net of Union 28)	10,764,000	623,000	839,333	867,000	13,093,333
12	Other town exp			97,000	180,000	277,000
13	Upgrade budget			86,275	101,800	188,075
14	7-12 Budget					13,040,000
15						
16						
17	Budget (by %)	20,672,283	1,529,408	2,170,430	2,226,287	26,598,408
18	Plus Union 28 cost	86,598	7,213	9,408	8,781	112,000
19						
20	Total Budget	20,758,881	1,536,621	2,179,838	2,235,068	26,710,408
21						
22						
23	Aid					
24	CH 70 Reg	3,971,000	206,000	369,000	372,000	4,918,000
25	CH 70 Local	3,326,000	20,000	70,000	133,000	3,549,000
26	New Aid (allocated by %)	2,650,158	176,102	277,984	291,776	3,396,000
27	Other Regional Revenue	546,000	41,000	54,000	50,000	691,000
28						
29	Total Aid & Other Income	10,493,158	443,102	770,964	846,776	12,554,000
30						
31						
32	Net Assessments FY-95	10,265,723	1,093,519	1,408,874	1,388,292	
33	Minimum Contribution		1,022,000			
34						
35	Projected FY 94					
36	Regional Assesment			526,000		
37	Local School Budget			778,000		
38	Other Town Expense			97,000		
39	Less: Educ Reform Aid			(51,000)		
40						
41	Projected FY 94 Totals	12,485,000	1,012,000	1,350,000	1,350,000	
42						
43	Increase (Decrease)	(2,219,277)	10,000	58,874	38,292	
44						
45	Adjust for loss of Equity Aid			42,756		
46	Adjusted Total			101,630		

Projected FY-94 and FY-95 Budgets Without Regionalization

Leverett

14-Mar-94

		FY-94 Projected	FY-95 "First Draft"	FY-95 (No Equity Aid)
1	Elementary School Budget	778,290	866,133	866,133
2				
3	Plus:			
4	Other Town Expense (Health Ins)	96,615	100,000	100,000
5				
6	Less:			
7	Base Aid	26,530	35,635	35,635
8	Foundation Aid	3,321	6,607	6,607
9	Equity Aid	15,121	27,029	0
10	Minimum Aid	5,784		
11	Total	(50,756)	(69,271)	(42,242)
12				
13	Net Elementary School Spending	824,149	896,862	923,891
14				
15	Increase due to Elementary Education		72,713	99,742
16				
17				
18	Total Secondary Schools Budget	12,054,000	13,040,000	13,040,000
19				
20	Leverett's Aid			
21	Base Aid	334,230	349,682	349,682
22	Foundation Aid	0	0	0
23	Equity Aid	10,554	15,727	0
24	Minimum Aid	6,400	3,300	3,300
25	Total	351,184	368,709	352,982
26				
27	Leverett's Net Assessment	525,837	603,000	618,727
28				
29	Increase due to Secondary Education		77,163	92,890
30				
31	Total Education Spending	1,349,986	1,499,862	1,542,618
32				
33	Increase in Total Education Spending		149,876	192,632

MINUTES
LEVERETT SPECIAL TOWN MEETING
FEBRUARY 14, 1994

The meeting was called to order by Moderator Dick Howland at 7:45 pm at the Leverett Elementary School Gymnasium. A motion was made, seconded and passed to dispense with the reading of the warrant.

Article One: To see if the Town will vote to transfer a sum not to exceed \$8,500 from available funds to the Transfer Station (Article 17, 4/24/93).

Alice Rarig: I move that the Town vote to transfer \$8193.80 from available funds to the Transfer Station (Article 17, 4/24/93). Motion was seconded.
Finance Committee approved the motion.

Motion passed unanimously.

Article Two: To see if the Town will vote to transfer \$3232.11 from available funds to pay the state tax on diesel fuel for the period July 1, 1989 through June 30, 1993.

Donald Gibavic: I move that the Town vote to transfer \$3232.11 from available funds to pay the state tax on diesel fuel for the period July 1, 1989 through June 30, 1993. Motion was seconded.
Finance Committee supported the motion.

Motion passed unanimously.

John Foster: I move the the Town Meeting instruct the Town Clerk to send a letter of thanks the the Highway Crew for their outstanding service during the past month. Motion was seconded and passed unanimously.

Article Three: To see if the Town will vote to expend a sum not to exceed \$10,000 from the Landfill Closure Fund for engineering services related to capping the Landfill.

Fenna Lee Bonsignore: I move the article be withdrawn. Motion seconded and passed.

Motion to adjourn was made, seconded and passed at 7:50pm.

Minutes recorded by D'Ann Sauer Kelty, Town Clerk

TOWN OF LEVERETT SPECIAL TOWN MEETING
FEBRUARY 14, 1994

Franklin, SS.

To one of the Constables of Leverett:

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, to meet in the LEVERETT ELEMENTARY SCHOOL GYMNASIUM at said Leverett, on Monday, February 14, 1994, at 7:45 in the evening (7:45 PM), then and there to act on the following articles, namely:

Article One: To see if the Town will vote to transfer a sum not to exceed \$8,500 from available funds to the Transfer Station (Article 17, 4/24/93).

Article Two: To see if the Town will vote to transfer \$3232.11 from available funds to pay the state tax on diesel fuel for the period July 1, 1989 through June 30, 1993.

Article Three: To see if the Town will vote to expend a sum not to exceed \$10,000 from the Landfill Closure Fund for engineering services related to capping the Landfill.

And you are directed to serve this Warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, seven days at least before the day of said meeting.

Given under our hands this thirty-first day of January, A.D. 1994.

SELECTBOARD OF LEVERETT



Fenna Lee Bonsignore



Donald L. Gibavic

A true copy I attest:

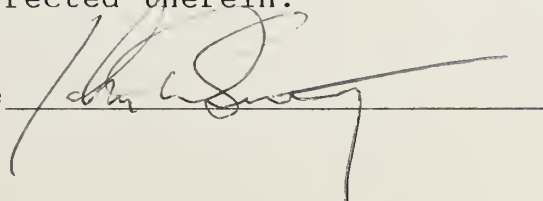


D'Ann Sauer Kelty
Town Clerk



Alice J. Ravig

I have served this Warrant as directed therein:

Date: 1/31/94 Constable 



TOWN OF LEVERETT
Massachusetts 01054

February 18, 1994

William Stratford
169 Rattlesnake Gutter Road
Leverett, MA 01054

Dear Will,

At the Special Town Meeting held last Monday, a motion not on the official warrant was made by John Foster. While unpublished motions are not usually acceptable under town meeting rules, the content was such that no one could deny the validity and timely content of the motion. It was seconded and passed quite unanimously.

According to this motion, I have been instructed to write to you and Jack expressing the sincere gratitude of the entire Town for the tireless work you have done in keeping the roads safe and clear during the past most challenging weeks. Everyone present (and, I might add, several people who have come into the office recently) expressed the opinion that our roads have been maintained in a much better manner than any neighboring towns. You have been doing an exceptional job, and this is not going unnoticed.

Please share these words of thanks with your family--they know better than we do what this job means in terms of hours on the road at all times of the day and night, seven days a week.

Sincerely,

D'Ann Kelty, Town Clerk

cc: Moderator, Dick Howland
Selectboard



TOWN OF LEVERETT
Massachusetts 01054

February 18, 1994

Mr. John Raskevitz
139 Montague Road
Leverett, MA 01054

Dear Jack,

At the Special Town Meeting held on Monday, February 14, 1994, a unanimous vote was taken asking me to send you a letter expressing the Town's sincere gratitude for your countless hours of work during the past several weeks. Everyone agrees that the roads in the Town of Leverett have been attended to in a manner quite superior to roads in neighboring towns. On behalf of the Town Meeting I would like to thank you for your untiring efforts.

Please share these words of thanks with your family, for they know far better than we what it means to have you out at all hours of the day and night, weekday and weekend.

Sincerely,

D'Ann Kelty
Town Clerk

cc: Moderator Dick Howland
Selectboard

Background Information

Available Funds: Free Cash 131,992; surplus in insurance 12,193

Article 1:

See spread sheet for a breakdown of actual expenditures which total 46,193.80.

Original Article 17 April 24, 1993 authorized borrowing \$38,000.

The difference 8,193.80 is to be requested from available funds.

Sources of the over expenditures are site preparation, need to build a shed and roof over the compactor, both the latter required by DEP, and higher than anticipated cost of bringing electricity to the site.

Article 2.

Towns are subject to a Massachusetts special fuels tax of 21¢ per gallon on diesel fuel used in vehicles driven on roadways. Leverett's last two suppliers, Agway and Country Oil have not been adding the tax to the per gallon cost. Consequently the town owes back tax on 10,143 gallons from Agway for 1989 to 1993 and on the 5,884.4 gallons from Country Oil from 1992 to December 31, 1993 for a total of 16,024.4 gallons @ .21 = \$3,365.75 owed to DOR. We are requesting to transfer from available funds \$3232.11 to pay for the back taxes through the end of Fy 93. This is a bill of prior years and requires a 9/10 vote. The remaining \$133.64 will come out of the Fy 94 highway budget since that amount is owed in the current fiscal year. Since 1/1/94 Country Oil has been adding the tax to our bill.

Article 3.

Recommendation: Withdraw this article.

Background for recommendation to withdraw article.

Chuck Dauchy has run our specifications for the CSA by two companies he is familiar with that do this kind of work. Firm #1 estimated \$63,000 and firm #2 estimated \$66,000. Engineering for capping the landfill was estimated at \$9,000 and \$9,500 by the same two firms without supervising construction. If the supervision of construction is included then add another \$7,000 to 10,000.

Summary of engineering costs:

CSA	63,000	66,000
Capping	9,000	9,500
(plans & specs)		
Supervision of	7,000	10,000
construction		
	79,000	85,500

Obviously the 10,000 requested in this article is inadequate. I recommend withdrawing it from this town meeting warrant and bringing it to annual town meeting. In the meantime I have asked Dufresne-Henry for an additional estimate which I should have later this week and we will send out the RFP, even though we do not have the funding appropriated. The information we get from the bids should give us realistic figures to go to town meeting with.

TRANSFER STATION

BORROW 38,000 ARTICLE 17 APRIL 24, 1993

COMPACTOR	SITE PREP	CONCRETE PAD	ROAD RELOCATION	ELECTRIC SUPPLY	BUILDING / ROOF	ENGINEERING	MILLING
W12 13,395.00	W6 4,130.00	W8 844.55	W6 3694.00	W6 3838.00	W10 2360.00	W6 3,300.00	330.00
	W8 1,080.00	W10 46.65	W8 1211.28		W8 75.96	W8 668.00	
	W10 2,799.00	696.00	W10 1227.76	1528.58	167.42		
	355.00	902.64			64.00		
	W12 180.00	W12 166.72	527.72		81.65		
			1332.00		104.77		
					312.28		
					700.00		
					74.82		
TOTAL	13,395.00	8544.00	7992.76	5366.58	3,940.90	3,968.00	330.00

GRAND TOTAL
46,193.80

46,193.80 - 38,000 = 8,193.80 = AMOUNT TO BE TRANSFERRED FROM AVAILABLE FUNDS

June

TO: FINANCE COMMITTEE

DATE: December 28, 1993

RE: Estimated Reserve Fund Request
Health Insurance and Medicare

	Appropriated	Expended	Increase	Percent Increase
FY96				
FY95				
FY94	65000.00	77000.00 estimated	12678.00	19.71%estimated
FY93	60658.00	64322.00	6782.00	11.79%
FY92	48000.00	57540.00	9183.00	18.99%
FY91	44000.00	48357.00	3192.00	7.07%
FY90	48900.00	45165.00	2455.00	5.75%
FY89		42710.00	14769.00	52.86%
FY88		27941.00	11039.00	65.31%
FY87		16902.00	216.00	1.29%
FY86		16686.00		

PROJECTED SURPLUS: BUILDING/LIABILITY INSURANCE

Appropriated	Billed	
7343.00	5960.00	193 Building
	770.00	Boiler
1041.00	0.00	194 Auto Collision/Comprehensive
4175.00	2074.80	210 Police
3400.00	3400.00	220 Fire
17421.00	11682.00	945 Liability
33380.00	23886.80	

Projected Deficit:

914 Health Insurance	12000.00
916 Medicare	1700.00
	13700.00

Projected Surplus:

193 Building	613.00
194 Auto	1041.00
210 Police	2100.20
945 Liability	5739.00
913 Unemployment	2700.00
Total Estimated Surplus	12193.20 *

Estimated Reserve Fund Request 6/30/94

1506.80

* Vote to transfer at Annual Town Meeting

We have a more precise figure by April

TOWN OF LEVERETT

SPECIAL VOTER REGISTRATION SESSIONS

IN ANTICIPATION OF THE UPCOMING

SPECIAL TOWN MEETING TO BE
HELD ON MONDAY FEBRUARY 14, 1994

THE TOWN CLERK HAS SCHEDULED SPECIAL VOTER REGISTRATION SESSIONS AS
FOLLOW:

FRIDAY, FEBRUARY 4: 9AM-2:30PM..Town Clerk's Office, Town Hall
 3PM-8PM. .Kelty Residence, 16 Juggler Meadow

YOU MUST BE REGISTERED BY FEBRUARY 4 IN ORDER TO VOTE AT THIS TOWN
MEETING.

You may also register to vote at the Town Hall during regular Town
Clerk's hours (Monday and Friday: 9am-2:30pm; Wednesday: 9am-12:30pm;
Monday evening: 6pm-7:30pm)



LEVERETT SPECIAL TOWN MEETING WARRANT

September 29, 1993

Franklin, SS.

To one of the Constables of Leverett

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, that a Special Town Meeting shall be held at the Elementary School at said Leverett on Wednesday, the twenty-ninth day of September, 1993 at 7:30 p.m. in the evening then and there to act on the following articles, namely:

Article One: To see if the Town will vote to reduce the Regional School assessment by \$39,063, from \$569,762 to \$530,699 according to the provisions of Chapter 138 Section 228-231 of the Acts of 1991.

Article Two: To see if the Town will vote to raise and appropriate an additional \$50,754 for the Elementary School FY94 budget.

Article Three: To see if the Town will vote to raise and appropriate \$10,000 to be transferred to the Stabilization Fund.

Article Four: To see if the Town will vote to raise and appropriate an additional \$10,000 for the FY94 Workers' Compensation budget.

Article Five: To see if the Town will vote to raise and appropriate an additional \$400 for the Fire Department FY94 operating expenses.

Article Six: To see if the Town will vote to raise and appropriate an additional \$472 for Library wages and \$75 for Library expenses for FY94.

Article Seven: To see if the Town will vote to raise and appropriate an additional \$8000 for Highway expenses for FY94.

And you are directed to serve this warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, fourteen days at least before the day of said meeting. Hereof, fail not and make return of this Warrant with your doings thereon at time and place of said meeting.

Given under our hands this eighth day of September A.D., 1993

SELECT BOARD OF LEVERETT

A true copy attest:

D'Ann Sauer Kelly
Town Clerk

Fenna Lee Bonsignore

Donald L. Gibayic

Alice J. Harig

I have served this Warrant as directed therein.

Ethan V. Hammond, Jr. Date 9/11/93

LEVERETT SPECIAL TOWN MEETING WARRANT

September 29, 1993

Franklin, SS.

To one of the Constables of Leverett

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, that a Special Town Meeting shall be held at the Elementary School at said Leverett on Wednesday, the twenty-ninth day of September, 1993 at 7:30 p.m. in the evening then and there to act on the following articles, namely:

Article One: To see if the Town will vote to reduce the Regional School assessment by ^{43,925} ~~\$39,062~~, from \$569,762 to ^{525,837} ~~\$530,699~~ according to the provisions of Chapter 138 Section 228-231 of the Acts of 1991.

Article Two: To see if the Town will vote to raise and appropriate an additional \$50,754 for the Elementary School FY94 budget.

Article Three: To see if the Town will vote to raise and appropriate \$10,000 to be transferred to the Stabilization Fund.

Article Four: To see if the Town will vote to raise and appropriate an additional \$10,000 for the FY94 Workers' Compensation budget.

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Article Seven: To see if the Town will vote to raise and appropriate an additional \$8000 for Highway expenses for FY94.

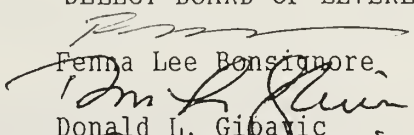
And you are directed to serve this warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, fourteen days at least before the day of said meeting. Hereof, fail not and make return of this Warrant with your doings thereon at time and place of said meeting.

Given under our hands this eighth day of September A.D., 1993

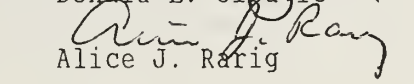
SELECT BOARD OF LEVERETT

A true copy attest:

Town Clerk


Fenna Lee Bonsignore


Donald L. Gibovic


Alice J. Rarig

I have served this Warrant as directed therein.

Date

MINUTES
LEVERETT SPECIAL TOWN MEETING
MONDAY, SEPTEMBER 29, 1993

Town Meeting was called to order by Moderator Richard Howland at 7:37pm at the School Gymnasium. It was moved, seconded, and passed to dispense with the reading of the warrant.

Article One: Alice Rarig: I move that the Town vote to reduce the Regional School assessment by \$43,925, from \$569,762 to \$525,837 according to the provisions of Chapter 138 Section 228-231 of the Acts of 1991.

Judi Fonsh: Second. Motion passed.

Article Two: Fenna Lee Bonsignore: I move that the Town vote to raise and appropriate an additional \$50,754 for the Elementary School FY94 budget.

Judi Fonsh: Second. Finance Committee supported the motion. Motion carried unanimously.

Article Three: Don Gibavic: I move that the Town vote to raise and appropriate \$10,000 to be transferred to the Stabilization Fund.

Second. Motion carried unanimously.

Article Four: Alice Rarig: I move that the Town vote to raise and appropriate an additional \$10,000 for the FY94 Workers' Compensation budget.

Cliff Blinn: Second. Finance Committee supported the motion. Carried unanimously.

Article Five: Fenna Lee Bonsignore: I move that the Town vote to raise and appropriate an additional \$400 for the Fire Department FY94 operating expenses.

Second. Finance Committee supported the motion. Motion carried unanimously.

Article Six: Don Gibavic: I move that the Town vote to raise and appropriate an additional \$472 for Library wages and \$75 for Library expenses for FY94.

Second. Finance Committee supported the motion. Motion carried unanimously.

Article Seven: Don Gibavic: I move that Town vote to raise and appropriate an additional \$8000 for Highway expenses for FY94.

Second. Finance Committee supported the motion. Motion carried unanimously.

Motion to adjourn was made, seconded and carried at 7:45pm.

Minutes recorded by D'Ann Sauer Kelty, Town Clerk



Commonwealth of Massachusetts Board of Library Commissioners

648 Beacon Street • Boston, Massachusetts 02215 • 617 267-9400 • 800 952-7403



MASSACHUSETTS BOARD OF LIBRARY COMMISSIONERS

POLICY

ON

THE CLOSURE OF A PUBLIC LIBRARY

AND

THE LIBRARY INCENTIVE GRANT/MUNICIPAL EQUALIZATION GRANT PROGRAM

The Massachusetts Board of Library Commissioners considers any municipality that closes its main public library or ceases offering library service to the public for any reason other than the undertaking of a project to improve library services (such as construction, automation preparation or inventory) or the occurrence of a natural catastrophe (including a limited emergency closing due to illness or death) to be, as of the date of that termination of service, no longer a certified participant in the Library Incentive Grant/Municipal Equalization Grant (LIG/MEG) Program.

The Commissioners will confirm the municipality's loss of certification at their next regularly scheduled Board meeting.

Once the municipality has lost certification, it cannot be recertified as meeting the minimum standards of public library service for the LIG/MEG awards (as set forth in MGL c.78, s. 19A and 19B, 605 CMR 4.0, and current budget language) until the municipality's library has been meeting the standards for one complete fiscal year (July 1 through June 30) and proper application for the LIG/MEG awards is made to the Board of Library Commissioners.

Approval Date: March 5, 1993

policies:clolib



Commonwealth of Massachusetts
Board of Library Commissioners

648 Beacon Street • Boston, Massachusetts 02215 • 617 267-9400 • 800 952-7403



* ARTICLE SIX: #547 to open library 3 more weeks

September 3, 1993

STATE AID (FY93) = \$2040.7

Lorna Rivers, Director
Bradford M. Field Memorial Library
1 Shutesbury Road, PO Box 250
Leverett, MA 01054

Dear Ms. Rivers:

I am writing to confirm our telephone discussion on September 2, 1993 regarding the Board of Library Commissioners' policy on the closing of a public library.

On March 5, 1993 the Board voted to approve the enclosed policy which in part states:

The Massachusetts Board of Library Commissioners considers any municipality that closes its main public library or ceases offering library service to the public for any reason other than the undertaking of a project to improve library services (such as construction, automation preparation or inventory) or the occurrence of a natural catastrophe (including a limited emergency closing due to illness or death) to be, as of the date of that termination of service, no longer a certified participant in the Library Incentive Grant/Municipal Equalization Grant Program.

This means that a library closing for reasons other than those stated above is not in compliance with the requirements for the State Aid to Public Libraries Program and will not be eligible for the state aid grants. Thus Leverett would not be eligible to receive grants in FY95 if the Bradford M. Field Memorial Library closes (for reasons other than natural catastrophe or the improvement of library services) during FY94.

If you have any further questions please do not hesitate to contact me.

Sincerely,

Dianne L. Carty

Dianne L. Carty
Head, Data Analysis and Research

cc: Ms. Robin Levine, Trustee Chair



Commonwealth of Massachusetts
Board of Library Commissioners

648 Beacon Street • Boston, Massachusetts 02215 • 617 267-9400 • 800 952-7403



ARTICLE SIX: #547 to open library 3 more
weeks

September 3, 1993

STATE AID (FY93) = \$2040.78

Lorna Rivers, Director
Bradford M. Field Memorial Library
1 Shutesbury Road, PO Box 250
Leverett, MA 01054

Dear Ms. Rivers:

I am writing to confirm our telephone discussion on September 2, 1993 regarding the Board of Library Commissioners' policy on the closing of a public library.

On March 5, 1993 the Board voted to approve the enclosed policy which in part states:

The Massachusetts Board of Library Commissioners considers any municipality that closes its main public library or ceases offering library service to the public for any reason other than the undertaking of a project to improve library services (such as construction, automation preparation or inventory) or the occurrence of a natural catastrophe (including a limited emergency closing due to illness or death) to be, as of the date of that termination of service, no longer a certified participant in the Library Incentive Grant/Municipal Equalization Grant Program.

This means that a library closing for reasons other than those stated above is not in compliance with the requirements for the State Aid to Public Libraries Program and will not be eligible for the state aid grants. Thus Leverett would not be eligible to receive grants in FY95 if the Bradford M. Field Memorial Library closes (for reasons other than natural catastrophe or the improvement of library services) during FY94.

If you have any further questions please do not hesitate to contact me.

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cc: Ms. Robin Levine, Trustee Chair



Commonwealth of Massachusetts Board of Library Commissioners

648 Beacon Street • Boston, Massachusetts 02215 • 617 267-9400 • 800 952-7403



MASSACHUSETTS BOARD OF LIBRARY COMMISSIONERS

POLICY

ON

THE CLOSURE OF A PUBLIC LIBRARY

AND

THE LIBRARY INCENTIVE GRANT/MUNICIPAL EQUALIZATION GRANT PROGRAM

The Massachusetts Board of Library Commissioners considers any municipality that closes its main public library or ceases offering library service to the public for any reason other than the undertaking of a project to improve library services (such as construction, automation preparation or inventory) or the occurrence of a natural catastrophe (including a limited emergency closing due to illness or death) to be, as of the date of that termination of service, no longer a certified participant in the Library Incentive Grant/Municipal Equalization Grant (LIG/MEG) Program.

The Commissioners will confirm the municipality's loss of certification at their next regularly scheduled Board meeting.

Once the municipality has lost certification, it cannot be recertified as meeting the minimum standards of public library service for the LIG/MEG awards (as set forth in MGL c.78, s. 19A and 19B, 605 CMR 4.0, and current budget language) until the municipality's library has been meeting the standards for one complete fiscal year (July 1 through June 30) and proper application for the LIG/MEG awards is made to the Board of Library Commissioners.

Approval Date: March 5, 1993

policies:clolib

September 29, 1993

CERTIFIED FREE CASH

7/1/93	131,992
" /92	152,626
" /91	198,640
" /90	206,215
" /89	248,663
" /88	186,391

USES OF FREE CASH Fy 91-Fy 94

	For Particular Purposes	Reserve	Reduce Tax Rate
Fy 94	22,000	20,000	0
Fy 93	16,600	40,000	0
Fy 92	20,129.60	40,000	15,000
Fy 91	56,096	50,000	29,338

TOWN OF LEVERETT ANNUAL TOWN MEETING
APRIL 24, 1993

Franklin, SS.

To one of the Constables of Leverett:

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, to meet in the Elementary School Auditorium at said Leverett, on Saturday the 24th day of April next, at 9:30 in the forenoon (9:30 AM), then and there to act on the following articles, namely:

Article One: To choose all necessary town officers to serve for periods prescribed by law or town bylaws.

Article Two: To see if the town will accept Massachusetts General Law Ch. 44 Section 53D as amended which authorizes the establishment of a self supporting Recreation Revolving Fund for the purposes of paying salaries and operating expenses for various existing and new recreational programs. Fees charged the participants will be credited to the Recreation Revolving Fund and expended by the Recreation Commission without further appropriation.

Sponsors: Selectboard, Recreation Commission

Article Three: To see if the Town will vote to raise and appropriate such sums of money as shall be necessary to meet town expenses.

Article Four: To see if the Town will vote to support the use of excess and deficiency funds, held by the Amherst-Pelham Regional School Committee, for the purpose of architectural design and related costs to expand and renovate the Regional Senior High School. The Regional School Committee anticipates this cost will be \$75,000-100,000. (This is an advisory, non-binding article.)

Sponsor: Regional School Committee

Article Five: To see if the Town will vote to expend Seventy-three Thousand, Six Hundred and Eighty-three dollars (\$73,683) in Transportation Bond monies (Chapter 33 of the Acts of 1991) which has been certified by the Department of Revenue as an available fund for the purpose of Chapter 90 type bridge and/or highway construction improvements and/or highway resurfacing.

Article Six: To see if the Town will vote to raise and appropriate or transfer from Free Cash the sum of Forty Thousand Dollars (\$40,000) into the Reserve Account.

Sponsor: Finance Committee

Article Seven: To see if the Town will vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000) to be put into the Stabilization Account.

Sponsors: Capital Planning Committee,
Selectboard

Article Eight: To see if the Town will vote to raise and appropriate or borrow a sum of Nine Thousand Dollars (\$9,000) to repair structural problems and to replace garage bay doors at the Town Highway Department.

Sponsor: Selectboard

Article Nine: To see if the Town will vote to raise and appropriate or borrow a sum of Five Thousand Dollars (\$5,000) to repair the engine of the Highway Department's 1983 dump truck.

Sponsor: Selectboard.

Article Ten: To see if the Town will vote to raise and appropriate or borrow a sum of Two Thousand, One Hundred Dollars (\$2,100) to paint at least two sides of the Town Hall.

Sponsor: Selectboard

Article Eleven: To see if the Town will vote to raise and appropriate or borrow a sum of Two Thousand, Five Hundred Dollars (\$2,500) for a ramp, hardware and any other expenses in order to make the entrance to the Bradford M. Field Memorial Library handicapped accessible.

Sponsors: Library Trustees, Selectboard

Article Twelve: To see if the Town will vote to raise and appropriate a sum of Two Thousand Dollars (\$2,000) to help pay for a computer and software for the Bradford M. Field Memorial Library, contingent on a capital expenditure exclusion override vote.

Sponsor: Library Trustees

Article Thirteen: To see if the Town will vote to raise and appropriate a sum of One Thousand Five Hundred Dollars (\$1,500) for the Land Acquisition Fund.

Sponsors: Conservation Commission,
Selectboard

Article Fourteen: To see if the Town will vote to raise and appropriate an additional Forty Six Thousand, Three Hundred and Ninety Dollars (\$46,390) to supplement the Elementary School line item in the fiscal year 1994 budget, contingent on an override vote.

Sponsor: School Committee

Article Fifteen: To see if the Town will vote to borrow a sum not to exceed Two Hundred Thousand Dollars (\$200,000), or such lower amount as the current public bid process to be completed by April 16, 1993 may ensure, for the costs of making the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair lift, remodelling of some bathrooms, and associated costs, or to take any other action relative thereto.

Sponsor: School Committee, Selectboard

Article Sixteen: To see if the Town will authorize the selectboard to acquire a parcel of land being identified on Leverett Assessors' maps as Map 8 Parcel 138, located off Cemetery Road, two acres more or less and is presently owned by Lewis Glazier of Pine Valley Plantation, Belchertown, under the provisions of Massachusetts General Laws Chapter 79 and Chapter 40 Section 114, by deed, gift, eminent domain or otherwise for the purpose of a solid waste transfer station and to appropriate or transfer from available funds a sum of money not to exceed One Thousand Dollars (\$1000) to accomplish this acquisition, which the seller has agreed is full, fair and adequate compensation for this parcel.

Sponsor: Selectboard

Article Seventeen: To see if the Town will vote to borrow a sum not to exceed Thirty Eight Thousand Dollars (\$38,000) to design, construct and equip a Transfer Station for solid waste disposal.

Sponsor: Selectboard

Article Eighteen: To see if the Town will vote to amend Chapter 81 of *The Code of the Town of Leverett, Massachusetts* (Town Bylaws) to clarify the responsibilities for recycling and solid waste disposal. A complete text of this proposed bylaw change is on file with the Town Clerk.

Sponsor: Selectboard

Article Nineteen: To see if the Town will vote to amend Chapter 60 of *The Code of the Town of Leverett, Massachusetts* (Town Bylaws) to include a provision which will require the clear display of house numbers on all residences and places of business in order to assist in the delivery of emergency services. A complete text of this proposed bylaw change is on file with the Town Clerk.

Sponsor: Selectboard

Article Twenty: To see if the Town will vote to amend Chapter 30 of *The Code of the Town of Leverett, Massachusetts* (Town Bylaws) to increase the number of members of the Personnel Board from three to five. A complete text of this proposed bylaw change is on file with the Town Clerk.

Sponsor: Selectboard

Article Twenty-One: To see if the Town will vote to establish a Revolving Fund in accordance with Massachusetts General Laws, Chapter 44 Section 53E and 1/2 for the purpose of providing a Night Custodian at the Leverett Elementary School. Fees will be charged to groups using the school building between the hours of 6 and 9 pm. Such fees will be credited to the Night Custodian Revolving Fund and expended by the School Committee without further appropriation to compensate for the services of a night custodian. The total amount expended from said Fund is not to exceed Five Thousand Dollars (\$5000).

Sponsor: School Committee, Selectboard

Article Twenty-Two: To see if the Town will vote to instruct its representatives to the General Court to support an amendment to the FY94 state budget to guarantee that cities and towns receive the full \$47 million growth in lottery revenues.

Sponsor: Selectboard

Article Twenty-Three: To see if the town will vote to instruct its representatives to the General Court to support legislation filed by the Massachusetts Municipal Association that would establish in state law a Local Roads Fund in order to ensure a fair and predictable share of state gas tax collections for distribution to cities and towns for use on local roads.

Sponsor: Selectboard

And you are directed to serve this Warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, seven days at least before the day of said meeting.

Given under our hands this twenty-ninth day of March, A.D. 1993.

SELECTBOARD OF LEVERETT



Fenna Lee Bonsignore

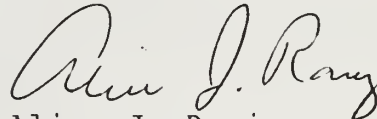
A true copy I attest:



D'Ann Sauer Kelty
Town Clerk



Donald L. Gibavic



Alice J. Rarig

I have served this Warrant as directed therein:

Date: 4/14/93 Constable Ethan V. Hammond

**MINUTES
ANNUAL TOWN MEETING
APRIL 24, 1993**

Leverett's Annual Town Meeting was called to order by Moderator Edwin Gere at 9:30am. A quorum was deemed present. An invocation was given by Georgene Bramlage.

Moderator Gere reminded those present that non-voters should not vote, and that there is a tradition here that no special "non-voters section" is set up.

Announcements were made about an upcoming rabies clinic, availability of the Conservation Commission's Master Plan, an upcoming override election. Bob Biagi and Sondra Corcoran were appointed as tellers.

Moderator Gere announced that the warrant had been properly served and that if there were no objections the meeting would proceed without the reading of the warrant. No objections were heard.

Article One: To choose all necessary town officers to serve for periods prescribed by law or town bylaws.

The following officers were elected by the Town Meeting. Those offices listed with only the number of candidates for which offices were available were voted by voice vote, asking the Town Clerk to cast one ballot for the nominee. Those offices listing candidates with vote counts were voted in secret ballot.

Moderator (one three-year term): Richard M. Howland
Assistant Moderator (one one-year term): Gary Gruber
Auditor (one one-year term): Steve Nagy
Selectboard (one three-year term): Donald Gibavic
Board of Health (one two-year term): David Pozar
Board of Health (two three-year terms): Peter Reich, Morgan Mead
Assessor (one three-year term): David Palmer
School Committee (two three-year terms):
 Judith Weinthaler 76 votes, winner
 Karen Rubin 64 votes, winner
 Robert Stachowiak 38 votes

Finance Committee (one three-year term): Steve Smidowicz
Library Trustees (two three-year terms): Sondra Corcoran, Chris Condit
Planning Board (one five-year term): Kenneth Kahn
Constable (one three-year term): James Lyons
Tree Warden (one one-year term): Will Stratford
Elections were completed at 10:10am.

Article Two: To see if the town will accept Massachusetts General Law Ch. 44 Section 53D as amended which authorizes the establishment of a self supporting Recreation Revolving Fund for the purposes of paying salaries and operating expenses for various existing and new recreational programs. Fees charged the participants will be credited to the Recreation Revolving Fund and expended by the Recreation Commission without further appropriation.

Marion Gorham: I move that the Town accept Massachusetts General Law Ch. 44 Section 53D as amended which authorizes the establishment of a self supporting Recreation Revolving Fund for the purposes of paying salaries and operating expenses for various existing and new recreational programs. Fees charged the participants will be credited to the Recreation Revolving Fund and expended by the Recreation Commission without further appropriation.

Al Shane: second.

Motion carried unanimously.

Article Three: To see if the Town will vote to raise and appropriate such sums of money as shall be necessary to meet town expenses.

Before the budget was presented Selectboard Chair Fenna Lee Bonsignore spoke about the budget process and warned the meeting that approval of the budget as presented and all further spending articles on today's warrant will mean an override total of \$167,916.

The budget was presented; held items included Lines 141--Assessors, 151--Town Counsel, 300--Schools, 422--Highway, 439--Landfill, 610--Library, 630--Recreation.

Fenna Lee Bonsignore: I move the Town raise and appropriate \$468,261.00 for the unheld budget lines and that the unheld items be accepted with the understanding that the bottom line reflects both salaries and expenditures as listed on the budget sheets. Seconded. **Motion carries.**

Held items were discussed.

-Don Robinson: I move that the Assessors salary budget be reduced by \$57.00 (reduction in clerk's salary from 1,007 to 950). Seconded. **Motion carries.**

-Fenna Lee Bonsignore spoke to the Town Counsel line item. She asked recognition for the donated services of Attorney Richard Howland during the past year. She then made the following motion: I move the town accept \$1000 as the Town Counsel budget for FY94. Seconded. **Motion carries.**

-Matt Corcoran proposed a 3% increase in the Elementary and Regional budgets: I move that the elementary school budget be reduced from \$727,536 to 721,929 and that the Regional School budget be reduced from 587,699 to 568,511. Seconded. **Motion lost.**

Charles Paulin: I move to amend the Regional School budget to \$579,762 from 587,699. Seconded. **Motion carried.**

-Matt Corcoran: I move to amend the Highway Department budget to change the salaries to \$62,617 and expenses to 62,455. Seconded. **Motion lost.**

-John Foster addressed the Landfill/Solid Waste budget by explaining the upcoming closure of the landfill in October and the installation of a transfer station.

-Chris Condit spoke to the Library budget and explained that the trustees had originally requested \$13,000 more that presented in order to hire an assistant and to keep the library open 52 weeks a year.

-It was moved that the Recreation budget of \$10,350 be deleted from the budget since the revolving fund had been established in Article Two. Seconded. **Motion carried.**

Don Gibavic: I move the town raise and appropriate \$1,513,528 to cover the held items of the budget. Seconded. **Motion carried.**

Article Four: To see if the Town will vote to support the use of excess and deficiency funds, held by the Amherst-Pelham Regional School Committee, for the purpose of architectural design and related costs to expand and renovate the Regional Senior High School. The Regional School Committee anticipates this cost will be \$75,000-100,000.

Judith Weinthaler: I move the town vote to support the use of excess and deficiency funds, held by the Amherst-Pelham Regional School Committee, for the purpose of architectural design and related costs to expand and renovate the Regional Senior High School. The Regional School Committee anticipates this cost will be \$75,000-100,000.

Alice Rarig: second.

Gus Sayer, superintendent of the Regional Schools was recognized and gave a brief word of explanation.

Motion carried.

Article Five: To see if the Town will vote to expend Seventy-three Thousand, Six Hundred and Eighty-three dollars (\$73,683) in Transportation Bond monies (Chapter 33 of the Acts of 1991) which has been certified by the Department of Revenue as an available fund for the purpose of Chapter 90 type bridge and/or highway construction improvements and/or highway resurfacing.

Don Gibavic: I move the Town vote to expend Seventy-three Thousand, Six Hundred and Eighty-three dollars (\$73,683) in Transportation Bond monies which has been certified by the Department of Revenue as an available fund for the purpose of Chapter 90 type bridge and/or highway construction improvements and/or highway resurfacing.

Second. **Motion carried.**

Article Six: To see if the Town will vote to raise and appropriate or transfer from Free Cash the sum of Forty Thousand Dollars (\$40,000) into the Reserve Account.

Bob Stachowiak: I move the Town vote to raise and appropriate \$20,000 and to transfer from Free Cash \$20,000 to the Reserve Account.

Alice Rarig: Second

Motion carried.

At noon, before breaking for lunch, Selectboard Chair Fenna Lee Bonsignore presented retiring Moderator Ed Gere with a gift and thanked him for 22 years of service as the Town Moderator. Bob Biagi presented an official citation from the Massachusetts State Senate on behalf of State Senator Stan Rosenberg.

Meeting was recessed for lunch, with instructions to reconvene at 1:00.

At 1:05 pm Moderator Ed Gere called the meeting to order.

Article Seven: To see if the Town will vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000) to be put into the Stabilization Account.

George Drake: I move the Town vote to raise and appropriate the sum of Thirty Thousand Dollars (\$30,000) to be put into the Stabilization Account.

Doris Gere: Second

Motion carried.

Article Eight: To see if the Town will vote to raise and appropriate or borrow a sum of Nine Thousand Dollars (\$9,000) to repair structural problems and to replace garage bay doors at the Town Highway Department.

Donald Gibavic: I move the Town vote to raise and appropriate a sum of Nine Thousand Dollars to repair structural problems and to replace garage bay doors at the Town Highway Department.

Fenna Lee Bonsignore: Second

Motion carried.

Article Nine: To see if the Town will vote to raise and appropriate or borrow a sum of Five Thousand Dollars (\$5,000) to repair the engine of the Highway Department's 1983 dump truck.

Donald Gibavic: I move the Town vote to raise and appropriate sum of Five Thousand Dollars to repair the engine of the Highway Department's 1983 dump truck.

Alice Rarig: Second

Motion carried unanimously.

Article Ten: To see if the Town will vote to raise and appropriate or borrow a sum of Two Thousand, One Hundred Dollars (\$2,100) to paint at least two sides of the Town Hall.

Donald Gibavic: I move that the Town vote to raise and appropriate a sum of Two Thousand, One Hundred Dollars (\$2,100) to paint at least two sides of the Town Hall.

Alice Rarig: Second

Finance Committee did not recommend; they saw this as optional spending.
Motion carried.

Article Eleven: To see if the Town will vote to raise and appropriate or borrow a sum of Two Thousand, Five Hundred Dollars (\$2,500) for a ramp, hardware and any other expenses in order to make the entrance to the Bradford M. Field Memorial Library handicapped accessible.

Donald Gibavic: I move the Town vote to raise and appropriate a sum of Two Thousand, Five Hundred Dollars for a ramp, hardware and any other expenses in order to make the entrance to the Bradford M. Field Memorial Library handicapped accessible.

Alice Rarig: Second **Motion carried.**

Article Twelve: To see if the Town will vote to raise and appropriate a sum of Two Thousand Dollars (\$2,000) to help pay for a computer and software for the Bradford M. Field Memorial Library, contingent on a capital expenditure exclusion override vote.

Christopher Condit: I move that the Town vote to raise and appropriate a sum of Two Thousand Dollars (\$2,000) to help pay for a computer and software for the Bradford M. Field Memorial Library, contingent on a capital expenditure exclusion override vote.

Lorna Rivers: Second

Finance Committee did not recommend.

Motion carried.

Article Thirteen: To see if the Town will vote to raise and appropriate a sum of One Thousand Five Hundred Dollars (\$1,500) for the Land Acquisition Fund.

Bill Rivers: I move that the Town vote to raise and appropriate a sum of One Thousand Five Hundred Dollars (\$1,500) for the Land Acquisition Fund.

Charles Paulin: Second

Motion carried unanimously.

Article Fourteen: To see if the Town will vote to raise and appropriate an additional Forty Six Thousand, Three Hundred and Ninety Dollars (\$46,390) to supplement the Elementary School line item in the fiscal year 1994 budget, contingent on an override vote.

Judith Fonsh: I move that the Town vote to raise and appropriate an additional Twenty Three Thousand, Five Hundred and Ninety Eight Dollars (\$23,598) to complement the Elementary School line item in the fiscal year 1994 budget, contingent on an override vote.

Seconded.

Finance Committee did not recommend feeling that this is a disproportionate raise in a line item in the total Town budget.

Cliff Blinn: I move to pass over this article at this time.

Donald Gibavic: Second

Motion lost.

Main Motion: A hand count was taken on the main motion with results of yes, 50, and no, 29. The main motion carried.

Article Fifteen: To see if the Town will vote to borrow a sum not to exceed Two Hundred Thousand Dollars (\$200,000), or such lower amount as the current public bid process to be completed by April 16, 1993 may ensure, for the costs of making the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair lift, remodelling of some bathrooms, and associated costs, or to take any other action relative thereto.

Page 1

REPORT ON THE PROGRESS OF THE WORK DURING THE YEAR 1900

The work of the Committee during the year 1900 has been directed towards the completion of the report on the progress of the work during the year 1900. The Committee has also been engaged in the preparation of the report on the progress of the work during the year 1900.

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Judith Fonsh: I move that the Town vote to borrow a sum of One Hundred and Eighty Two Thousand, and Forty Four Dollars (\$182,044) for the costs of making the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair lift, remodelling of some bathrooms, and associated costs, or to take any other action relative thereto.

Second.

Roy Brown, from Architects Inc. briefly described the plan for the elevator.

Finance Committee did not recommend. They did not deny the necessity but would prefer to wait until next year for the project and borrowing.

Capital Planning Committee recommended the article.

Two-thirds vote was needed; a hand count was taken.

Yes, 63; No, 12. Motion carried.

Article Sixteen: To see if the Town will authorize the selectboard to acquire a parcel of land being identified on Leverett Assessors' maps as Map 8 Parcel 138, located off Cemetery Road, two acres more or less and is presently owned by Lewis Glazier of Pine Valley Plantation, Belchertown, under the provisions of Massachusetts General Laws Chapter 79 and Chapter 40 Section 114, by deed, gift, eminent domain or otherwise for the purpose of a solid waste transfer station and to appropriate or transfer from available funds a sum of money not to exceed One Thousand Dollars (\$1000) to accomplish this acquisition, which the seller has agreed is full, fair and adequate compensation for this parcel.

Alice Rarig: I move that the Town authorize the selectboard to acquire a parcel of land being identified on Leverett Assessors' maps as Map 8 Parcel 138, located off Cemetery Road, two acres more or less and is presently owned by Lewis Glazier of Pine Valley Plantation, Belchertown, under the provisions of Massachusetts General Laws Chapter 79 and Chapter 40 Section 114, by eminent domain for the purpose of a solid waste transfer station and to transfer from Free Cash the sum of One Thousand Dollars (\$1000) to accomplish this acquisition, which the seller has agreed is full, fair and adequate compensation for this parcel.

Second.

Finance Committee recommended.

Two-thirds vote needed: motion carried unanimously.

Article Seventeen: To see if the Town will vote to borrow a sum not to exceed Thirty Eight Thousand Dollars (\$38,000) to design, construct and equip a Transfer Station for solid waste disposal.

Alice Rarig: I move that the Town vote to borrow a sum not to exceed Thirty Eight Thousand Dollars (\$38,000) to design, construct and equip a Transfer Station for solid waste disposal.

John Foster: Second

Capital Planning Committee recommended this article.

Two-thirds vote needed; motion carried unanimously.

Article Eighteen: To see if the Town will vote to amend Chapter 81 of *The Code of the Town of Leverett, Massachusetts* (Town Bylaws) to clarify the responsibilities for recycling and solid waste disposal. A complete text of this proposed bylaw change is on file with the Town Clerk.

Alice Rarig: I move that the Town vote to amend Chapter 81 of *The Code of the Town of Leverett, Massachusetts* (Town Bylaws) to clarify the responsibilities for recycling and solid waste disposal. A complete text of this proposed bylaw change is on file with the Town Clerk.

Second.

Motion carried.

Article Nineteen: To see if the Town will vote to amend Chapter 60 of *The Code of the Town of Leverett, Massachusetts* (Town Bylaws) to include a provision which will require the clear display of house numbers on all residences and places of business in order to assist in the delivery of emergency services. A complete text of this proposed bylaw change is on file with the Town Clerk.

Fenna Lee Bonsignore: I move that the Town vote to amend Chapter 60 of *The Code of the Town of Leverett, Massachusetts* (Town Bylaws) to include a provision which will require the clear display of house numbers on all residences and places of business in order to assist in the delivery of emergency services. A complete text of this proposed bylaw change is on file with the Town Clerk.

Alice Rarig: Second

Motion carried.

Article Twenty: To see if the Town will vote to amend Chapter 30 of *The Code of the Town of Leverett, Massachusetts* (Town Bylaws) to increase the number of members of the Personnel Board from three to five. A complete text of this proposed bylaw change is on file with the Town Clerk.

Fenna Lee Bonsignore: I move that the Town vote to amend Chapter 30 of *The Code of the Town of Leverett, Massachusetts* (Town Bylaws) to increase the number of members of the Personnel Board from three to five. A complete text of this proposed bylaw change is on file with the Town Clerk.

Donald Gibavic: Second

Motion carried unanimously.

Article Twenty-One: To see if the Town will vote to establish a Revolving Fund in accordance with Massachusetts General Laws, Chapter 44 Section 53E and 1/2 for the purpose of providing a Night Custodian at the Leverett Elementary School. Fees will be charged to groups using the school building between the hours of 6 and 9 pm. Such fees will be credited to the Night Custodian Revolving Fund and expended by the School Committee without further appropriation to compensate for the services of a night custodian. The total amount expended from said Fund is not to exceed Five Thousand Dollars (\$5000).

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Judith Fonsh: I move that the Town vote To see if the Town will vote to establish a Revolving Fund in accordance with Massachusetts General Laws, Chapter 44 Section 53E and 1/2 for the purpose of providing a Night Custodian at the Leverett Elementary School. Fees will be charged to groups using the school building between the hours of 6 and 9 pm, Such fees will be credited to the Night Custodian Revolving Fund and expended by the School Committee without further appropriation to compensate for the services of a night custodian. The total amount expended from said Fund is not to exceed Five Thousand Dollars (\$5000).

Alice Rarig: Second
Motion carried.

Article Twenty-Two: To see if the Town will vote to instruct its representatives to the General Court to support an amendment to the FY94 state budget to guarantee that cities and towns receive the full \$47 million growth in lottery revenues.

Donald Gibavic: I move that the Town vote to instruct its representatives to the General Court to support an amendment to the FY94 state budget to guarantee that cities and towns receive the full \$47 million growth in lottery revenues.
Second
Motion carried unanimously.

Article Twenty-Three: To see if the town will vote to instruct its representatives to the General Court to support legislation filed by the Massachusetts Municipal Association that would establish in state law a Local Roads Fund in order to ensure a fair and predictable share of state gas tax collections for distribution to cities and towns for use on local roads.

Donald Gibavic: I move that the Town vote to instruct its representatives to the General Court to support legislation filed by the Massachusetts Municipal Association that would establish in state law a Local Roads Fund in order to ensure a fair and predictable share of state gas tax collections for distribution to cities and towns for use on local roads.
Second.
Motion carried.

At 3:07 pm Fenna Lee Bonsignore moved that the Annual Town Meeting be recessed until Wednesday, June 2, 1993 at 8:00 pm at the Leverett Elementary School. At that time the results of the May 22 override election will be known.
Second.
Motion carried.

MINUTES
RECONVENED SESSION ANNUAL TOWN MEETING
JUNE 2, 1993

The Annual Town Meeting of the Town of Leverett was reconvened on Wednesday, June 2 at 8:06pm by Moderator Richard Howland. He announced that this was a continuation of the April 24 meeting, and thanked outgoing Moderator Ed Gere for his example and training.

The Moderator called for a moment of silence for Jack Hefley, principal of the Amherst Regional High School, who died yesterday. Hefley had taught graduates of Leverett Elementary School for the past twenty years.

The Moderator explained that the town meeting would be reconsidering Articles 3, 6 and 7 since override votes on those articles did not pass.

Fenna Lee Bonsignore: I move to reconsider Article 3.

Don Gibavic: Second. The motion was ruled in order.

Fenna: I move to raise and appropriate \$1,961,789. to meet town expenses. This amount is to be raised by taking \$10,000 from Line 200, Regional Schools; this line would now be \$569,762 and the Schools total would now be \$1,297,548. This would also take \$10,000 from the Highway Department, line 422 in the budget; specifically reducing the Asphalt and Blacktop to \$14,000, leaving the total Highway budget at \$126,242.

Bob Stachowiak: second.

The Moderator asked for a hold on either item. There was a hold on the Highway line.

Cliff Blinn: I move to amend the motion to take \$5,000 from the Highway Department and \$5,000 from the Elementary School.

Sondra Corcoran: second.

Motion was defeated: Yes 16, No 51.

Vote on the main motion carried.

Don Gibavic: I move to reconsider Article 6.

Bob Stachowiak: second. Motion carried.

Don Gibavic: I move that the Reserve Account of \$40,000 be reduced to \$20,000.

Second.

Motion carried.

Alice Rarig: I move to reconsider Article 7.

Second. Motion carried.

Alice: I move we dismiss Article 7, to raise and appropriate \$30,000 for the stabilization account.

Motion carried unanimously.

Alice Rarig asked that the record of the Town Meeting reflect that Articles 12 and 14 on the Town Meeting warrant, which were contingent on override votes would not be appropriated since the override votes failed; consequently there would be no appropriations for a library computer or the additional funding for the Elementary School.

Motion to adjourn was made, seconded and carried at 8:40pm.

Minutes recorded and filed by Town Clerk, D'Ann Sauer Keltz

D'Ann Sauer Keltz

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
1927-28

The following is a list of the names of the students who have been admitted to the Department of Chemistry for the year 1927-28.

Admitted to the Department of Chemistry for the year 1927-28:

Admitted to the Department of Chemistry for the year 1927-28:

Admitted to the Department of Chemistry for the year 1927-28:

Admitted to the Department of Chemistry for the year 1927-28:

Admitted to the Department of Chemistry for the year 1927-28:

Admitted to the Department of Chemistry for the year 1927-28:

Admitted to the Department of Chemistry for the year 1927-28:

Admitted to the Department of Chemistry for the year 1927-28:



TOWN OF LEVERETT

Massachusetts 01054

At the Annual Town Meeting for the Town of Leverett, held on April 24, 1993 and reconvened and adjourned on June 2, 1993, the following motion was made:

Alice Rarig: I move that the Town vote to borrow a sum not to exceed Thirty Eight Thousand Dollars (\$38,000) to design, construct and equip a Transfer Station for solid waste disposal.

John Foster: Second

Two-thirds vote needed; motion carried unanimously.

On May 22, 1993, the Town of Leverett held an override election. Question Three on the ballot read: Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amounts required to pay for the bond issued in order to design, construct and equip a Transfer Station for solid waste disposal.

Election results for Question Three were: Yes 287; No 148.

A true copy attest:

D'Ann Sauer Kelty
Town Clerk



TOWN OF LEVERETT

Massachusetts 01054

At the Annual Town Meeting for the Town of Leverett, held on April 24, 1993 and reconvened and adjourned on June 2, 1993, the following motion was made:

Judith Fonsh: I move that the Town vote to borrow a sum of One Hundred and Eighty Two Thousand, and Forty Four Dollars (\$182,044) for the costs of making the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair lift, remodelling of some bathrooms, and associated costs, or to take any other action relative thereto.

The motion was duly seconded.
Yes, 63; No, 12. Motion carried.

On May 22, 1993, the Town of Leverett held an override election. Question Two on that ballot read: Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amounts required to pay for the bond issued in order to make the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair, lift, remodelling of some bathrooms and associated costs.

Election results for Question Two were: Yes 223; No 215.

A true copy attest:

D'Ann Sauer Kelty
Town Clerk



TOWN OF LEVERETT

Massachusetts 01054

At the Annual Town Meeting for the Town of Leverett, held on April 24, 1993 and reconvened and adjourned on June 2, 1993, the following article appeared on the warrant and the subsequent motion was made:

Article Fifteen: To see if the Town will vote to borrow a sum not to exceed Two Hundred Thousand Dollars (\$200,000), or such lower amount as the current public bid process to be completed by April 16, 1993 may ensure, for the costs of making the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair lift, remodelling of some bathrooms, and associated costs, or to take any other action relative thereto.

Judith Fonsh: I move that the Town vote to borrow a sum of One Hundred and Eighty Two Thousand, and Forty Four Dollars (\$182,044) for the costs of making the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair lift, remodelling of some bathrooms, and associated costs, or to take any other action relative thereto.

The motion was duly seconded.
Yes, 63; No, 12. Motion carried.

On May 22, 1993, the Town of Leverett held an override election. Question Two on that ballot read: Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amounts required to pay for the bond issued in order to make the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair, lift, remodelling of some bathrooms and associated costs.

Election results for Question Two were: Yes 223; No 215.

A true copy attest:

D'Ann Sauer Kelty
Town Clerk



TOWN OF LEVERETT

Massachusetts 01054

At the Annual Town Meeting for the Town of Leverett, held on April 24, 1993 and reconvened and adjourned on June 2, 1993, the following article appeared on the warrant and the subsequent motion was made:

Article Seventeen: To see if the Town will vote to borrow a sum not to exceed Thirty Eight Thousand Dollars (\$38,000) to design, construct and equip a Transfer Station for solid waste disposal.

Alice Rarig: I move that the Town vote to borrow a sum not to exceed Thirty Eight Thousand Dollars (\$38,000) to design, construct and equip a Transfer Station for solid waste disposal.

John Foster: Second

Two-thirds vote needed; motion carried unanimously.

On May 22, 1993, the Town of Leverett held an override election. Question Three on the ballot read: Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amounts required to pay for the bond issued in order to design, construct and equip a Transfer Station for solid waste disposal.

Election results for Question Three were: Yes 287; No 148.

A true copy attest:

D'Ann Sauer Kelty
Town Clerk

THE UNIVERSITY OF CHICAGO

PHILOSOPHY DEPARTMENT

1155 EAST 58TH STREET

CHICAGO, ILLINOIS 60637

TEL: 773-936-5000

FAX: 773-936-5001

WWW.CHICAGOEDU.EDU

CHICAGO, IL 60637

CHICAGO, IL 60637

CHICAGO, IL 60637



TOWN OF LEVERETT

Massachusetts 01054

At the Annual Town Meeting for the Town of Leverett, held on April 24, 1993 and reconvened and adjourned on June 2, 1993, the following motion was made:

Alice Rarig: I move that the Town vote to borrow a sum not to exceed Thirty Eight Thousand Dollars (\$38,000) to design, construct and equip a Transfer Station for solid waste disposal.

John Foster: Second

Two-thirds vote needed; motion carried unanimously.

On May 22, 1993, the Town of Leverett held an override election. Question Three on the ballot read: Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amounts required to pay for the bond issued in order to design, construct and equip a Transfer Station for solid waste disposal.

Election results for Question Three were: Yes 287; No 148.

A true copy attest:

D'Ann Sauer Kelty
Town Clerk



TOWN OF LEVERETT

Massachusetts 01054

At the Annual Town Meeting for the Town of Leverett, held on April 24, 1993 and reconvened and adjourned on June 2, 1993, the following motion was made:

Judith Fonsh: I move that the Town vote to borrow a sum of One Hundred and Eighty Two Thousand, and Forty Four Dollars (\$182,044) for the costs of making the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair lift, remodelling of some bathrooms, and associated costs, or to take any other action relative thereto.

The motion was duly seconded.
Yes, 63; No, 12. Motion carried.

On May 22, 1993, the Town of Leverett held an override election. Question Two on that ballot read: Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amounts required to pay for the bond issued in order to make the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair, lift, remodelling of some bathrooms and associated costs.

Election results for Question Two were: Yes 223; No 215.

A true copy attest:

D'Ann Sauer Kelty
Town Clerk

5



TOWN OF LEVERETT

Massachusetts 01054

TO ALL OF THE RESIDENTS OF LEVERETT
FROM D'ANN SAUER KELTY, TOWN CLERK
AUGUST 23, 1993

Attached are copies of the three bylaw changes that were voted at the Annual Town Meeting in April 1993.

These bylaws have been submitted to the Attorney General's office according to the provisions of state law. The office has returned the bylaws to the Town Clerk with the Attorney General's approval.

This posting of the complete text of the new bylaws in five public places in the town is the final step in the bylaws becoming official.

The new bylaws include:

Amendment to Chapter 30 of the Code of Leverett which increases the number of members of the Personnel Board from 3 to 5.

Amendment to Chapter 60 of the Code of Leverett which requires the clear display of house numbers on all residences and commercial buildings.

Amendment to Chapter 81 of the Code of Leverett which clarifies wording and numbering of the Solid Waste bylaw.

Posted at
Town Hall
Leverett Post Office
Leverett Elementary School
Chapin's Store
Village Coop



The Commonwealth of Massachusetts

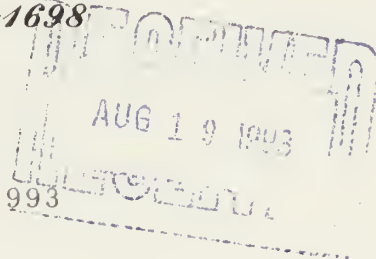
Office of the Attorney General

One Ashburton Place,

Boston, MA 02108-1698

SCOTT HARSHBARGER
ATTORNEY GENERAL

(617) 727-2200



August 18, 1993

D'Ann Sauer Kelty
Town Clerk
Box 178
Leverett, MA 01054

Dear Ms. Kelty:

I enclose the amendments to the general by-laws adopted under articles 18 and 19 of the warrant for the Leverett Annual Town Meeting that convened April 24, 1993, with the approval of this Office endorsed thereon.

Very truly yours,

A handwritten signature in cursive script, reading "Anthony E. Penski".

Anthony E. Penski
Assistant Attorney General
617-727-2200 ext. 2082

AEP:ccs
Enclosure

Boston, Massachusetts

The foregoing amendments to the general by-laws adopted under articles 18 and 19 of the warrant for the Leverett Annual Town Meeting that convened April 24, 1993, are hereby approved.

SCOTT HARSHBARGER
ATTORNEY GENERAL

A handwritten signature in cursive script, appearing to read "Anthony E. Penski", written over a horizontal line.

Anthony E. Penski
Assistant Attorney General

August 18, 1993

THE
FEDERAL GOVERNMENT
OF CANADA
MINISTER OF INDUSTRY
AND COMMERCE
DEPARTMENT OF
INDUSTRY AND COMMERCE
CANADA

THE
FEDERAL GOVERNMENT
OF CANADA
MINISTER OF INDUSTRY
AND COMMERCE
DEPARTMENT OF
INDUSTRY AND COMMERCE
CANADA

Article 18
April 24, 1993
no amendments
majority required,
motion carried

LEVERETT TOWN BYLAWS

PROPOSED AMENDMENTS TO
Chapter 81, DUMPS

A TRUE COPY ATTEST:

D'Ann Sauer Kelty
D'Ann Sauer Kelty
Leverett Town Clerk

SECTION 1. Chapter 81, Dumps, of the Code of the Town of Leverett is hereby renamed and redesignated as "Chapter 150, Solid Waste," of the Code of the Town of Leverett.

SECTION 2. Article I, Acquisition of Land, of said Ch. 150 (formerly Ch. 81) is hereby amended as follows:

A. The Article title shall be renamed "Acquisition of Land for Landfills."

B. In § 150-1 (formerly § 81-1), the word "dumps" shall be changed to "landfills."

SECTION 3. Article II, Mandatory Separation of Materials, of said Ch. 150 (formerly Ch. 81) is hereby amended in its entirety, to read as follows:

"§ 150-2. Separation of materials required.

All users of of the Leverett Solid Waste Disposal Facility shall be required to separate recyclable waste materials and other waste as determined by Board of Health regulations before disposing of the same at said solid waste disposal facility.

§ 150-3. Rules and regulations.

The Board of Health shall adopt rules and regulations regarding the proper disposal of all waste, including recyclable materials, in conformance with the Massachusetts General Laws and Department of Environmental Protection regulations.

§ 150-4. Enforcement.

A. The Board of Health shall adopt regulations for enforcement of this Article under MGL C. 40, § 21D, and MGL C. 111, §§ 31, 31A, 31B, 31C, 150 and 150A.

B. The Board of Selectmen shall be the enforcing agent."

Article 19
April 24, 1993
no amendments
vote: majority required
motion carried

A TRUE COPY ATTEST

D'Ann Sauer Keltz

D'Ann Sauer Keltz
Leverett Town Clerk

LEVERETT TOWN BYLAWS

PROPOSED AMENDMENTS TO Chapter 60, BUILDINGS, NUMBERING OF

SECTION 1. The text that currently comprises Chapter 60, Buildings, Numbering of, of the Code of the Town of Leverett shall become Article I, Establishment of System, of that chapter.

SECTION 2. There shall be added to the end of said Article I the following new section, to read as follows:

§ 60-3. Map to be kept on file.

A complete map of all existing house numbers is to be kept on file in the office of the Town Clerk.

SECTION 3. There shall be added to Chapter 60 a new Article II, Display of Numbering, to read as follows:

ARTICLE II Display of Numbering

§ 60-4. Legislative intent.

The purpose of this Article shall be to require the clear display of house (or building) numbers for all residences and places of business. This is intended to aid in the delivery of emergency services, recognizing that some of these services are delivered by out-of-town agencies.

§ 60-5. Display required; location.

- A. Every house and place of business shall be adequately labeled with its official house number.
- B. It is the intent of this Article that all property owners use common sense in the placement of clear, easy-to-read house numbers on all residences and places of business in the town. If the structure is easily visible and accessible from the street during twelve (12) months of the year, the number would ideally be placed on the structure.
- C. If, by placing the number on the structure, the number is not easily read by emergency service responders approaching from either direction on the street during all twelve (12) months of the year,

then the number should be placed on a stake at the edge of the driveway leading to the house. The location of numbers on a mailbox will suffice if the mailbox is labeled on both sides and is located at the driveway and there is no confusion about location of the dwelling.

- D. In the case of shared driveways, property owners should adequately label all building numbers at the entrance to the driveway, and additional markings should be posted at appropriate junctions in the driveway to alleviate any questions in the mind of emergency service personnel.

§ 60-6. Enforcement.

Violations shall be enforced by the Board of Selectmen and/or its designee.

SECTION 4. This bylaw shall take effect thirty (30) days after publication of the adoption hereof or October 15, 1993, whichever date is later.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Harsh burger
Room 2019
One Ashburton Pl
Boston MA 02108

4a. Article Number

868893681

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☒ Return Receipt for Merchandise

7. Date of Delivery

JUN 1 1990

5. Signature (Addressee)**6. Signature (Agent)****8. Addressee's Address (Only if requested and fee is paid)**

UNITED STATES POSTAL SERVICE

011 SPFLD MA OCR #3

Official Business



PENALTY FOR PRIVATE
USE, \$300

Print your name, address and ZIP Code here

Town Clerk

Box 178

Everett MA 01054

Form 1 (revised 1/91)

Town: LEVERETT

Date: June 14, 1993

Attorney General Scott Harshbarger
One Ashburton Place, Room 2019
Boston, Massachusetts 02108
Attn: By-Laws

Dear Attorney General Harshbarger:

Pursuant to G.L. c. 40, § 32, I hereby request approval of the enclosed amendments to town by-laws.

1. Town Meeting (check only one): Annual X Special _____
Fall Annual _____

2. Date Town Meeting (TM) First Convened: April 24, 1993

3. Date(s) of Adjourned Sessions: June 2, 1993

4. Warrant articles (numbers) to be acted upon:

(a) Zoning: ---

(b) Historic District: ---

(c) General: 18, 19

(d) Charter Amendment: ---

5. Maps: warrant articles (numbers) with maps to be approved:

6. Town Counsel: Richard M. Howland

Address: PO Box 2300 Amherst, MA 01004-2300

Phone: (413) 549-4570

7. Town Clerk: D'Ann Sauer Kelty

Signature: D'Ann Sauer Kelty

Address: Box 178 Leverett, MA 01054

Phone: (413) 548-9150

Date TM Convened: April 24, 1993

FINAL BY-LAWS AS VOTED BY TOWN MEETING

TWO certified copies of all of the articles to be acted upon are attached to this page (stapled, if not too bulky), showing all of the following information for each article:

1. The date of final town meeting action on the article;
2. The complete final text of the article, with any floor amendments incorporated into the text;
3. The final vote of the town meeting, as follows:

If a two-thirds vote is required, the final vote must be certified either as being unanimous or the actual vote count must be shown. The actual vote count must be given if the vote is not unanimous. Certifications such as "unanimous but one" or "unanimous but a few" do not suffice if the actual count is required. A two-thirds vote is required for zoning by-laws (G.L. c. 40A, § 5) and historic district by-laws (G.L. c. 40C, § 3). Other state statutes or town charters or by-laws may also require a counted vote.

If a two-thirds vote is not required, the final vote may be certified as "a majority", "unanimous", or by the actual count.

NOTE: It is preferable that each final by-law as voted by town meeting (with all of the information described above) be submitted on a separate page, in case some articles are ready for approval or disapproval by the Attorney General before others.

Article 18

April 24, 1993

no amendments
majority required
motion carried

LEVERETT TOWN BYLAWS

PROPOSED AMENDMENTS TO
Chapter 81, DUMPS

A TRUE COPY ATTEST:

D'Ann Sauer Kelty

D'Ann Sauer Kelty
Leverett Town Clerk

SECTION 1. Chapter 81, Dumps, of the Code of the Town of Leverett is hereby renamed and redesignated as "Chapter 150, Solid Waste," of the Code of the Town of Leverett.

SECTION 2. Article I, Acquisition of Land, of said Ch. 150 (formerly Ch. 81) is hereby amended as follows:

A. The Article title shall be renamed "Acquisition of Land for Landfills."

B. In § 150-1 (formerly § 81-1), the word "dumps" shall be changed to "landfills."

SECTION 3. Article II, Mandatory Separation of Materials, of said Ch. 150 (formerly Ch. 81) is hereby amended in its entirety, to read as follows:

"§ 150-2. Separation of materials required.

All users of of the Leverett Solid Waste Disposal Facility shall be required to separate recyclable waste materials and other waste as determined by Board of Health regulations before disposing of the same at said solid waste disposal facility.

§ 150-3. Rules and regulations.

The Board of Health shall adopt rules and regulations regarding the proper disposal of all waste, including recyclable materials, in conformance with the Massachusetts General Laws and Department of Environmental Protection regulations.

§ 150-4. Enforcement.

A. The Board of Health shall adopt regulations for enforcement of this Article under MGL C. 40, § 21D, and MGL C. 111, §§ 31, 31A, 31B, 31C, 150 and 150A.

B. The Board of Selectmen shall be the enforcing agent."

Article 18
April 24, 1993
no amendments
majority required,
motion carried

LEVERETT TOWN BYLAWS
PROPOSED AMENDMENTS TO
Chapter 81, DUMPS

A TRUE COPY ATTEST:

D'Ann Sauer Kelty
D'Ann Sauer Kelty
Leverett Town Clerk

SECTION 1. Chapter 81, Dumps, of the Code of the Town of Leverett is hereby renamed and redesignated as "Chapter 150, Solid Waste," of the Code of the Town of Leverett.

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The Board of Health shall adopt rules and regulations regarding the proper disposal of all waste, including recyclable materials, in conformance with the Massachusetts General Laws and Department of Environmental Protection regulations.

§ 150-4. Enforcement.

A. The Board of Health shall adopt regulations for enforcement of this Article under MGL C. 40, § 21D, and MGL C. 111, §§ 31, 31A, 31B, 31C, 150 and 150A.

B. The Board of Selectmen shall be the enforcing agent."

Article 19
April 24, 1993

no amendments

Vote: majority required
motion carried

A TRUE COPY ATTEST:

D'Ann Sauer Kelty

D'Ann Sauer Kelty
Leverett Town Clerk

LEVERETT TOWN BYLAWS

PROPOSED AMENDMENTS TO Chapter 60, BUILDINGS, NUMBERING OF

SECTION 1. The text that currently comprises Chapter 60, Buildings, Numbering of, of the Code of the Town of Leverett shall become Article I, Establishment of System, of that chapter.

SECTION 2. There shall be added to the end of said Article I the following new section, to read as follows:

§ 60-3. Map to be kept on file.

A complete map of all existing house numbers is to be kept on file in the office of the Town Clerk.

SECTION 3. There shall be added to Chapter 60 a new Article II, Display of Numbering, to read as follows:

ARTICLE II Display of Numbering

§ 60-4. Legislative intent.

The purpose of this Article shall be to require the clear display of house (or building) numbers for all residences and places of business. This is intended to aid in the delivery of emergency services, recognizing that some of these services are delivered by out-of-town agencies.

§ 60-5. Display required; location.

- A. Every house and place of business shall be adequately labeled with its official house number.
- B. It is the intent of this Article that all property owners use common sense in the placement of clear, easy-to-read house numbers on all residences and places of business in the town. If the structure is easily visible and accessible from the street during twelve (12) months of the year, the number would ideally be placed on the structure.
- C. If, by placing the number on the structure, the number is not easily read by emergency service responders approaching from either direction on the street during all twelve (12) months of the year,

then the number should be placed on a stake at the edge of the driveway leading to the house. The location of numbers on a mailbox will suffice if the mailbox is labeled on both sides and is located at the driveway and there is no confusion about location of the dwelling.

- D. In the case of shared driveways, property owners should adequately label all building numbers at the entrance to the driveway, and additional markings should be posted at appropriate junctions in the driveway to alleviate any questions in the mind of emergency service personnel.

§ 60-6. Enforcement.

Violations shall be enforced by the Board of Selectmen and/or its designee.

SECTION 4. This bylaw shall take effect thirty (30) days after publication of the adoption hereof or October 15, 1993, whichever date is later.

Article 19

April 24, 1993

no amendments

vote: majority required

motion carried

A TRUE COPY ATTACHED

D'Ann Sauer Kelly

D'Ann Sauer Kelly
Leverett Town Clerk

LEVERETT TOWN BYLAWS

PROPOSED AMENDMENTS TO Chapter 60, BUILDINGS, NUMBERING OF

SECTION 1. The text that currently comprises Chapter 60, Buildings, Numbering of, of the Code of the Town of Leverett shall become Article I, Establishment of System, of that chapter.

SECTION 2. There shall be added to the end of said Article I the following new section, to read as follows:

§ 60-3. Map to be kept on file.

A complete map of all existing house numbers is to be kept on file in the office of the Town Clerk.

SECTION 3. There shall be added to Chapter 60 a new Article II, Display of Numbering, to read as follows:

ARTICLE II Display of Numbering

§ 60-4. Legislative intent.

The purpose of this Article shall be to require the clear display of house (or building) numbers for all residences and places of business. This is intended to aid in the delivery of emergency services, recognizing that some of these services are delivered by out-of-town agencies.

§ 60-5. Display required; location.

- A. Every house and place of business shall be adequately labeled with its official house number.
- B. It is the intent of this Article that all property owners use common sense in the placement of clear, easy-to-read house numbers on all residences and places of business in the town. If the structure is easily visible and accessible from the street during twelve (12) months of the year, the number would ideally be placed on the structure.
- C. If, by placing the number on the structure, the number is not easily read by emergency service responders approaching from either direction on the street during all twelve (12) months of the year,

then the number should be placed on a stake at the edge of the driveway leading to the house. The location of numbers on a mailbox will suffice if the mailbox is labeled on both sides and is located at the driveway and there is no confusion about location of the dwelling.

- D. In the case of shared driveways, property owners should adequately label all building numbers at the entrance to the driveway, and additional markings should be posted at appropriate junctions in the driveway to alleviate any questions in the mind of emergency service personnel.

§ 60-6. Enforcement.

Violations shall be enforced by the Board of Selectmen and/or its designee.

SECTION 4. This bylaw shall take effect thirty (30) days after publication of the adoption hereof or October 15, 1993, whichever date is later.

Date TM Convened: April 24, 1993TOWN MEETING CERTIFICATION1. Quorum

According to town charter or by-law, the quorum requirement for town meeting is 5%=55 registered voters. (Write "0" if town has no quorum requirement.) I hereby certify that a quorum was present at the town meeting, including any adjourned sessions thereof.

Attest: D'Ann Sauer Kilty Date: June 14, 1993
Town Clerk

2. Service of the warrant

I hereby certify that:

- (a) the service of the town meeting warrant was in accordance with (1) town by-law or (2) a previous vote of the town or (3) a procedure previously accepted by the Attorney General;
- (b) notice of any adjournments of the town meeting was made in accordance with town by-law or previous town meeting vote.

Attest: D'Ann Sauer Kilty Date: June 14, 1993

3. Attachments

- (a) the complete warrant is attached and it includes the opening of the warrant, the closing of the warrant, and the officer's return of service.
- *** (b) One certified copy of any amendments made on the floor of the town meeting before the final vote under each of the articles to be acted upon is stapled to this page, showing the following:
 - 1. the number of the warrant article to which the amendment(s) referred;
 - 2. the full text of the amendment(s);
 - 3. the vote taken on the amendment(s) at the town meeting (e.g., "a majority", "unanimous", or the actual vote count).

EXISTING BY-LAWS BEING AMENDED

One certified copy of the existing by-law being amended should be attached to this page (stapled, if not too bulky) if the substance of the proposed amendment is not readily understandable from the language in the article in the warrant. On each such existing by-law, please identify the number of the warrant article to which it relates.

NOTES:

1. A copy of the existing by-law is usually needed by the Attorney General when reviewing minor technical changes in current by-laws, amendments to tables showing uses permitted in different zoning districts, or amendments which merely recodify or reorganize lengthy by-laws which have already been approved by the Attorney General but which involve little or no substantive changes.

2. It would be most helpful to the Attorney General's office if the clerk would mark the existing by-law being amended to show what sections are being amended and what sections are remaining unchanged.

3. If the by-laws being submitted to the Attorney General are readily understandable from the language in the warrant, please do not include this form in the package mailed to the Attorney General.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered at the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

Article Addressed to:

Debt Section

Division of Local Services

PO Box 9655

Boston, MA 02114-9655

4a. Article Number

P 868 893 680

4b. Service Type

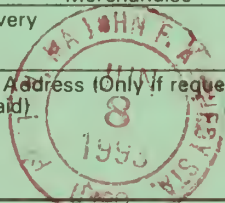
- | | |
|---|--|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☒ Return Receipt for Merchandise |

7. Date of Delivery

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)





TOWN OF LEVERETT
Massachusetts 01054

At the Annual Town Meeting for the Town of Leverett, held on April 24, 1993 and reconvened and adjourned on June 2, 1993, the following article appeared on the warrant and the subsequent motion was made:

Article Fifteen: To see if the Town will vote to borrow a sum not to exceed Two Hundred Thousand Dollars (\$200,000), or such lower amount as the current public bid process to be completed by April 16, 1993 may ensure, for the costs of making the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair lift, remodelling of some bathrooms, and associated costs, or to take any other action relative thereto.

Judith Fonsh: I move that the Town vote to borrow a sum of One Hundred and Eighty Two Thousand, and Forty Four Dollars (\$182,044) for the costs of making the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair lift, remodelling of some bathrooms, and associated costs, or to take any other action relative thereto.

The motion was duly seconded.
Yes, 63; No, 12. Motion carried.

On May 22, 1993, the Town of Leverett held an override election. Question Two on that ballot read: Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amounts required to pay for the bond issued in order to make the Leverett Elementary School handicapped accessible through the construction of an elevator and a chair lift, remodelling of some bathrooms and associated costs.

Election results for Question Two were: Yes 223; No 215.

A true copy attest:

D'Ann Sauer Kelty

D'Ann Sauer Kelty
Town Clerk

LOAN AUTHORIZATION REPORT FORM

Town/District: LEVERETTINFORMATION CONCERNING ANNUAL) MEETING CALLED FOR April 24,, 1993~~SPECIAL~~Article 17 passed on April 24, 1993 authorizing a loan of
\$ 38,000. for design, construct and equip Transfer Station for solid waste

ATTESTED COPY OF WARRANT:

Posted: Date April 14, 1993 Places* Post office, 2 churches, 2 storesPublished in newspaper: Date(s) n.a.Warrant or notice mailed: Date April 7, 1993To whom: all residentsAdditional Notification Requirements: n.a. Were these met? _____VOTE COUNT (Unanimous or Actual Vote Count): unanimousPLEASE ATTACH CERTIFIED COPY OF THE VOTE AS PASSED (this is required by law)
PLEASE ALSO ATTACH RESULTS OF DEBT EXCLUSION VOTE, IF ANY

SPECIAL REQUIREMENTS FOR ADJOURNED SESSION:

Warrant or notice of adjournment:

Posted: Date n.a. Places* _____Published: Date(s) n.a. Mailed: Date _____Additional Requirements n.a. Were these met? _____

QUORUM:

Number or percentage required: 5 % Was quorum present? yesFinance/Advisory Committee meeting posted: Date April 12, 1993If vote subject to referendum, were requirements met? n.a.Is litigation pending which would affect the validity of this vote? noI hereby certify that this information is
correct to the best of my knowledge.D Ann Sauer Kelly

Town or District Clerk

* If Places are Specified by By-Law or Vote, list actual places posted.

Debt Section
Division of Local Services
P. O. Box 9655
Boston, Massachusetts 02114-9655

Tel: 617-727-2300 ext. 509 or 510

FAX: 617-727-6432

(printed 3/93)



TOWN OF LEVERETT
Massachusetts 01054

At the Annual Town Meeting for the Town of Leverett, held on April 24, 1993 and reconvened and adjourned on June 2, 1993, the following article appeared on the warrant and the subsequent motion was made:

Article Seventeen: To see if the Town will vote to borrow a sum not to exceed Thirty Eight Thousand Dollars (\$38,000) to design, construct and equip a Transfer Station for solid waste disposal.

Alice Rarig: I move that the Town vote to borrow a sum not to exceed Thirty Eight Thousand Dollars (\$38,000) to design, construct and equip a Transfer Station for solid waste disposal.

John Foster: Second

Two-thirds vote needed; motion carried unanimously.

On May 22, 1993, the Town of Leverett held an override election. Question Three on the ballot read: Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amounts required to pay for the bond issued in order to design, construct and equip a Transfer Station for solid waste disposal.

Election results for Question Three were: Yes 287; No 148.

A true copy attest:

D'Ann Sauer Kelty
D'Ann Sauer Kelty
Town Clerk

TOWN OF LEVERETT FY94 Budget
April 24, 1993

account #

113-5100	Town Meeting salaries	200
113	Town Meeting expenses	245
114-5100	Moderator salary	50
122-5100	Selectmen salaries	10894
122	Selectmen expenses	2260
124-5100	Administrative Assistant salaries	17459
124	Administrative Assistant expenses	3354
131	Finance Committee	95
149	Capital Planning	100
135	Audit	2700
141-5100	Assessors salaries	~~3905~~ -57 3848
141	Assessors expenses	950
142	Revaluation	8000
145-5100	Treasurer/Accounting Officer salaries	8364
145	Treasurer/Accounting Officer expenses	3600
146-5100	Collector salaries	7131
146	Collector expenses	2032
151	Town Counsel	1000
161-5100	Town Clerk salaries	7401
161	Town Clerk expenses	1305
162-5100	Elections salaries	300
162	Elections expenses	150
163-5100	Registrars salaries	170
163	Registrars expenses	50
171-5100	Conservation Commission salaries	1000
171	Conservation Commission expenses	575
175	Planning Board	1350
176	Zoning Board of Appeals	150
192-5100	Building Maintenance salaries	2341
192	Building Maintenance	11000
193	Building Insurance	7343
194	Auto Collision/Comprehensive	1041
195	Town Report	1400
198-5100	Newsletter	1168

100 TOTAL GENERAL GOVERNMENT

~~109083~~

210-5100	Police wages/salaries	34000
210	Police insurance	4175
210	Police expenses	18320
220-5100	Fire wages/salaries	9400
220	Fire insurance	3400
220	Fire expenses	10125
231-5200	Ambulance	5152
241-5200	Building/Plumbing/Electrical Insp	16399
249	Animal Inspector salary	100
291	Emergency Planning salary	25
292-5100	Dog Officer salary	650
292	Dog Officer expenses	90
299	Tree Warden expenses	3500

200 TOTAL PUBLIC SAFETY

105336

300	School, Elementary	727536	
310	School, Regional	~~587659~~	579,762
302-5100	School Committee salaries	250	

300	TOTAL EDUCATION		~~1315485~~
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422-5100	Highways salaries	66617
422	Highways expenses	69625
423-5100	Snow and Ice salaries	8339
423	Snow and ice expenses	12500
424	Street Lights	2577
439-5100	Landfill salaries	1278
439	Landfill expenses	17320
439-5100	Transfer Station salaries	3172
439	Transfer Station expenses	32790
491	Cemetaries - North	550
491	Cemetaries - Village	550

400	TOTAL PUBLIC WORKS		215318
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510-5100	Board of Health salaries	1200
510	Board of Health expenses	625
519-5200	Health Agent	6565
541	Council on Aging	340
543-5200	Veterans Agent	3610

500	Total Human Services		12340
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610-5100	Library salaries	7035
610	Library expenses	2345
691	Historical Commission	250
692	Harvest Festival	50

600	TOTAL CULTURE & RECREATION		9680
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710	Debt Principal	66400
751	Debt Interest	11625

700	TOTAL DEBT SERVICE		78025
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911-5100	Franklin County Retirement	38715
912-5100	Workers Comp	12000
913-5100	Unemployment	4000
914-5100	Health Insurance	65000
915-5100	Life Insurance	380
916-5100	Medicare	7000
945	Liability Insurance	17421

900	TOTAL MISCELLANEOUS		144516
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TOTAL			1989783
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DEPARTMENT	Fy 93	Fy94
TOWN MEETING		
Salaries	200.00	200.00
Expenses	245.00	245.00
TOTAL	445.00	445.00
MODERATOR	50.00	50.00
SELECTMEN		
Salaries		
Chair	1,050.00	1,050.00
2 members	2,000.00	2,000.00
Clerk	7,557.00	7,844.00
Subtotal	10,607.00	10,894.00
Expenses		
Telephone	275.00	275.00
Supplies/dues/misc	1,500.00	1,500.00
bids/ads	200.00	200.00
Postage	185.00	185.00
Travel/conference	100.00	100.00
Subtotal	2,260.00	2,260.00
TOTAL	12,867.00	13,154.00
ADMINISTRATIVE ASSISTANT		
Salary	16,820.00	17,459.00
Expenses	3,581.00	3,354.00
TOTAL	20,401.00	20,813.00
FINANCE COMMITTEE	95.00	95.00
CAPITAL PLANNING COMMITTEE	100.00	100.00
AUDIT	2,700.00	2,700.00
ASSESSORS		
Salaries		
Chair	998.00	998.00
2 members	1,900.00	1,900.00
Clerk	970.00	1,007.00
Subtotal	3,868.00	3,905.00
Expenses		
Ledgers/Forms	150.00	150.00
Deeds/Copies	300.00	300.00
Dues/Misc	100.00	100.00
Maps	400.00	400.00
Subtotal	950.00	950.00
TOTAL	4,818.00	4,855.00
REPAIR/MAINTENANCE		
Salary	8,000.00	8,000.00
REASURER/ACCOUNTING OFFICER		
Salary	8,058.00	8,364.00
Expenses		
Payroll/Bond/postage	2,875.00	2,875.00
Conf/Travel/Tel/Misc	725.00	725.00
Subtotal	3,600.00	3,600.00
TOTAL	11,658.00	11,964.00
COLLECTOR		
Salary	6,870.00	7,131.00
Expenses		
Postage/Bond/Tax Bills	1,582.00	1,582.00
Tel/Supplies/Dues	450.00	450.00
Subtotal	2,032.00	2,032.00
TOTAL	8,902.00	9,163.00
TOWN COUNCIL	1,000.00	1,000.00

TOWN CLERK		
Salary	6,200.00	6,436.00
Expenses		
Supplies/Forms/Dues	180.00	180.00
Bond	50.00	50.00
Postage	75.00	75.00
Travel/Conf	300.00	300.00
Code Update		600.00
Subtotal	605.00	1,205.00
Census		
Data Collection	550.00	550.00
Entry & Duplication	415.00	415.00
Postage	100.00	100.00
Subtotal	1,065.00	1,065.00
TOTAL	7,870.00	8,706.00
162 ELECTIONS		
Salaries		
Poll Workers	1,400.00	300.00
Police		
Transfer		
Subtotal	1,400.00	300.00
Expenses	100.00	150.00
TOTAL	1,500.00	450.00
163 REGISTRARS		
Salaries (4)	170.00	170.00
Expenses	50.00	50.00
TOTAL	220.00	220.00
171 CONSERVATION COMMISSION		
Salary/Secretary	525.00	1,000.00
Expenses		
Memberships	150.00	100.00
Mowing	125.00	
Tapes/Film/Postage	300.00	
Legal Notices	300.00	
Miscellaneous		475.00
Subtotal	875.00	575.00
TOTAL	1,400.00	1,575.00
175 PLANNING BOARD		
Consulting	1250.00	1,000.00
Supplies/Advertising/Due	100.00	350.00
TOTAL	1,350.00	1,350.00
176 ZONING BOARD OF APPEALS	150.00	150.00
192 PUBLIC BUILDINGS/MAINTENANCE		
Wages/Town Hall Janitor	2,255.00	2,341.00
Expenses		
Maintenance	1,750.00	1,750.00
Electricity	4,500.00	5,000.00
Fuel Oil	3,000.00	4,000.00
Equipment		250.00
Subtotal	9,250.00	11,000.00
TOTAL	11,505.00	13,341.00
193 BUILDING INSURANCE		
General	6,573.00	6,573.00
Boiler	770.00	770.00
TOTAL	7,343.00	7,343.00
194 AUTO COLLISION/COMPREHENS	1,030.00	1,041.00
195 TOWN REPORTS	1,750.00	1,400.00
198 NEWSLETTER	1,168.00	1,168.00

10 POLICE		
Wages		
Chief	5,890.00	6,037.00
Clerk	1,045.00	1,070.00
Regular Hours	21,505.00	22,393.00
Court Hours	2,500.00	2,563.00
Training	1,890.00	1,937.00

Subtotal	32,830.00	34,000.00
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Expenses		
Vehicles	5,140.00	5,140.00
Training	1,000.00	1,000.00
Radio/Radar	1,250.00	1,250.00
Dues	150.00	150.00
Uniforms	750.00	1,500.00
Supplies	1,500.00	1,500.00
Telephone	1,500.00	850.00
Dispatch	5,650.00	5,930.00

Subtotal	18,040.00	18,320.00
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Insurance		
Police Liability	2,100.00	2,100.00
Police Workers' Comp	2,075.00	2,075.00

Subtotal	4,175.00	4,175.00
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TOTAL	55,045.00	55,495.00
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0 FIRE DEPARTMENT

Wages		
Chief	2,145.00	2,250.00
Deputy Chief	210.00	220.00
Forest Fire Warden	50.00	50.00
2 Captains	210.00	220.00
Response Pay	6,350.00	6,550.00
2 lieutenants		110.00

Subtotal	8,955.00	9,400.00
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Expenses		
Training	500.00	500.00
Radio Maintenance	1,000.00	1,000.00
Equipment Maintenance	2,500.00	2,500.00
Gas/Oil/Tires	850.00	850.00
Mutual Aid	120.00	120.00
Brush Fires	650.00	650.00
Postage	30.00	30.00
Capital	2,500.00	2,500.00
Dispatch	900.00	900.00
Electricity	300.00	475.00
Fuel Oil	300.00	300.00
Inspection Mileage		300.00

Subtotal	9,650.00	10,125.00
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Insurance		
Firefighter's Liability	1,209.00	0.00
Firefighter's Worker's	3,400.00	3,400.00

Subtotal	4,609.00	3,400.00
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TOTAL	23,224.00	22,925.00
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AMBULANCE	8,000.00	5,152.00
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BUILDING/PLUMBING/ELECTRI	15,703.00	15,399.00
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ANIMAL INSPECTOR salary	100.00	100.00
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EMERGENCY PLANNING	25.00	25.00
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DOG OFFICER		
Salary	650.00	650.00
Expenses	90.00	90.00

TOTAL	740.00	740.00
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TREE WARDEN	2,500.00	3,500.00
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TOTAL PUBLIC SAFETY	105,337.00	105,336.00
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300 SCHOOLS		
School Committee	250.00	250.00
Elementary School	700,902.00	727,536.00
Regional School	551,952.00	587,699.00

TOTAL SCHOOLS	1,253,104.00	1,315,485.00
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422 HIGHWAY DEPT.

Wages		
Full Time	52,618.00	54,617.00
Parttime	8,000.00	12,000.00

Subtotal	50,618.00	66,617.00
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Expenses		
Equipment Rental	4,500.00	4,500.00
Parts/Tools	7,275.00	7,275.00
Repairs	940.00	940.00
Tires/Batteries	1,500.00	1,600.00
Gas/Oil	12,260.00	12,260.00
Lumber/Fence/Paint	1,100.00	1,100.00
Pipes/Culverts	3,000.00	3,000.00
Asphalt/Blacktop	13,470.00	24,000.00
Stone/Gravel/Sand	11,350.00	11,350.00
Supplies/Telephone	550.00	550.00
Capital	550.00	550.00
Bridge maintenance		2,500.00

Subtotal	56,595.00	59,525.00
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TOTAL	117,213.00	135,242.00
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423 SNOW/ICE CONTROL

Wages		
Salt/Sand	8,136.00	8,339.00
	12,500.00	12,500.00

TOTAL	20,636.00	20,839.00
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424 STREETLIGHTS

	2,544.00	2,577.00
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439 SOLID WASTE

LANDFILL		
Salary/Dump Custodian	2,037.00	528.00
Salary/Recycling Coord	750.00	750.00

Subtotal	2,787.00	1,278.00
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Expenses		
Dump Stickers	475.00	475.00
Dump inspections	6,000.00	5,750.00
Recycling	5,500.00	5,500.00
Daily Cover	12,000.00	4,000.00
Bulldozer Rental	1,200.00	1,200.00
Tire Repair	420.00	120.00
Maintenance	1,000.00	250.00
Refuse District	25.00	25.00

Subtotal	26,620.00	17,320.00
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TOTAL	29,407.00	18,598.00
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TRANSFER STATION

Salaries		3,172.00
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Subtotal		3,172.00
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Expenses		
Hauling		3,000.00
Tipping		27,300.00
Electricity		300.00
Maintenance		250.00
Coupons		800.00
Non-Compactibles		1,140.00

Subtotal		32,790.00
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TOTAL		54,560.00
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91 CEMETERIES	1,125.00	
North		550.00
Village		550.00
TOTAL	1,125.00	1,100.00
.....		
TOTAL PUBLIC WORKS	170,925.00	215,318.00
.....		
0 BOARD OF HEALTH		
Salaries		
Chair	400.00	400.00
4 Members	800.00	800.00
Subtotal	1,200.00	1,200.00
Expenses		
Postage	75.00	75.00
Dues	50.00	50.00
Publish Documents	400.00	400.00
Office Supplies	100.00	100.00
Hazardous Waste	0.00	0.00
Subtotal	625.00	625.00
TOTAL	1,825.00	1,825.00
9 HEALTH AGENT	6,405.00	6,565.00
1 COUNCIL ON AGING	340.00	340.00
3 VETERANS' SERVICES	3,228.00	3,610.00
.....		
TOTAL HUMAN SERVICES	11,798.00	12,340.00
.....		
LIBRARY		
Wages		
Librarian/Director	6,525.00	6,773.00
Janitor	250.00	262.00
Subtotal	6,775.00	7,035.00
Expenses		
Books/Magazines	738.00	738.00
Utilities	1,188.00	1,188.00
Office Supplies	199.00	199.00
Misc	220.00	220.00
Subtotal	2,345.00	2,345.00
TOTAL	9,120.00	9,380.00

630 RECREATION		
Wages	2,400.00	4,400.00
Expenses	1,016.00	5,950.00
TOTAL	3,416.00	10,350.00
.....		
691 HISTORICAL COMMISSION	150.00	250.00
692 HARVEST FESTIVAL	50.00	50.00
.....		
TOTAL CULTURE/RECREATION	12,736.00	9,680.00
.....		
710 DEBT PRINCIPAL	66,800.00	66,400.00
751 DEBT INTEREST	19,286.00	11,625.00
.....		
TOTAL DEBT SERVICE	86,086.00	78,025.00
.....		
911 RETIREMENT	39,751.00	38,715.00
912 WORKERS' COMP	10,334.00	12,000.00
913 UNEMPLOYMENT	4,000.00	4,000.00
914 HEALTH INSURANCE	60,658.00	65,000.00
915 LIFE INSURANCE	383.00	380.00
916 MEDICARE	6,100.00	7,000.00
945 LIABILITY INSURANCE		
Public officials	3,229.00	3,075.00
General	4,673.00	4,673.00
Auto	9,648.00	9,673.00
TOTAL	17,550.00	17,421.00
.....		
TOTAL MISCELLANEOUS	138,776.00	144,516.00
.....		

GRAND TOTAL	1,885,084.00	2,000,133.00

LEVERETT TOWN BYLAWS

PROPOSED AMENDMENTS TO
Chapter 81, DUMPS

SECTION 1. Chapter 81, Dumps, of the Code of the Town of Leverett is hereby renamed and redesignated as "Chapter 150, Solid Waste," of the Code of the Town of Leverett.

SECTION 2. Article I, Acquisition of Land, of said Ch. 150 (formerly Ch. 81) is hereby amended as follows:

A. The Article title shall be renamed "Acquisition of Land for Landfills."

B. In § 150-1 (formerly § 81-1), the word "dumps" shall be changed to "landfills."

SECTION 3. Article II, Mandatory Separation of Materials, of said Ch. 150 (formerly Ch. 81) is hereby amended in its entirety, to read as follows:

"§ 150-2. Separation of materials required.

All users of of the Leverett Solid Waste Disposal Facility shall be required to separate recyclable waste materials and other waste as determined by Board of Health regulations before disposing of the same at said solid waste disposal facility.

§ 150-3. Rules and regulations.

The Board of Health shall adopt rules and regulations regarding the proper disposal of all waste, including recyclable materials, in conformance with the Massachusetts General Laws and Department of Environmental Protection regulations.

§ 150-4. Enforcement.

A. The Board of Health shall adopt regulations for enforcement of this Article under MGL C. 40, § 21D, and MGL C. 111, §§ 31, 31A, 31B, 31C, 150 and 150A.

B. The Board of Selectmen shall be the enforcing agent."

LEVERETT TOWN BYLAWS

PROPOSED AMENDMENTS TO
Chapter 30, PERSONNEL

SECTION 1. Subsections A, B and I of § 30-5 of the Code of the Town of Leverett shall be amended to provide for a five-member Personnel Board and its membership, as follows:

A. Subsection A shall be amended in the introductory paragraph to change the phrase "three-person Personnel Board" to "five-person Personnel Board." The balance of the text of Subsection A shall remain in full force and effect.

B. Subsection B shall be amended to provide for the increase in membership, to read as follows:

"B. The membership of the Board shall be as follows: one (1) member of the Board of Selectmen, to be drawn from and chosen by the Board of Selectmen; one (1) member of the Finance Committee, to be drawn from and chosen by the Finance Committee; and three (3) members at large, to be appointed by the Moderator. Appointees shall be registered voters of the town and shall not be an employee of the town or under the direction of the School Committee. The term of office shall be for three (3) years, except for the first term, which shall be as follows: for the Selectman, one (1) year; for the Finance Committee member, two (2) years; and for the members at large, one (1) for one (1) year, one (1) for two (2) years and one (1) for three (3) years. The Administrative Assistant shall be an ex officio member."

C. Subsection I shall be amended to read as follows:

"I. Any three (3) members shall constitute a quorum for the transaction of business."

Chapter 81

DUMPS

ARTICLE I
Acquisition of Land

§ 81-1. Authority of Selectmen.

ARTICLE II
Mandatory Separation of Materials

§ 81-2. Separation of materials.

§ 81-3. Violations and penalties.

§ 81-4. Enforcing agent.

[HISTORY: Adopted by the Town of Leverett as follows: Art. I, 2-4-50 Annual Town Meeting, Art. 15; Art. II, 4-30-88 Annual Town Meeting, Art. 28. Amendments noted where applicable.]

GENERAL REFERENCES

Regional Refuse Disposal Planning Committee — See Ch. 34.

Dumps — See Chs. 177 and 203.

Radioactive waste — See Ch. 215.

ARTICLE I
Acquisition of Land
[Adopted 2-4-50 ATM, Art. 15]

§ 81-1. Authority of Selectmen.

The Selectmen are authorized to take by eminent domain, if necessary, suitable property for public dumps.

ARTICLE II
Mandatory Separation of Materials
[Adopted 4-30-88 ATM, Art. 28]

§ 81-2. Separation of materials.

All users of the Leverett Solid Waste Disposal Facility (town dump) shall be required to separate waste materials into the following categories before disposing of the same at said Solid Waste Disposal Facility (town dump):

- A. Glass.
- B. Paper.
- C. Cans.
- D. Other waste.

§ 81-3. Violations and penalties.

Each and every violation hereof shall be punished by a fine of fifteen dollars (\$15.).

§ 81-4. Enforcing agent.

The Board of Selectmen will be designated as the enforcing agent for fines.

Article 19

file - 10m
pocum - Jim
Annette - st list
Edie - PB dep
Jenny - USPS

LEVERETT TOWN BYLAWS

PROPOSED AMENDMENTS TO Chapter 60, BUILDINGS, NUMBERING OF

SECTION 1. The text that currently comprises Chapter 60, Buildings, Numbering of, of the Code of the Town of Leverett shall become Article I, Establishment of System, of that chapter.

SECTION 2. There shall be added to the end of said Article I the following new section, to read as follows:

§ 60-3. Map to be kept on file.

A complete map of all existing house numbers is to be kept on file in the office of the Town Clerk.

SECTION 3. There shall be added to Chapter 60 a new Article II, Display of Numbering, to read as follows:

ARTICLE II Display of Numbering

§ 60-4. Legislative intent.

The purpose of this Article shall be to require the clear display of house (or building) numbers for all residences and places of business. This is intended to aid in the delivery of emergency services, recognizing that some of these services are delivered by out-of-town agencies.

§ 60-5. Display required; location.

- A. Every house and place of business shall be adequately labeled with its official house number.
- B. It is the intent of this Article that all property owners use common sense in the placement of clear, easy-to-read house numbers on all residences and places of business in the town. If the structure is easily visible and accessible from the street during twelve (12) months of the year, the number would ideally be placed on the structure.
- C. If, by placing the number on the structure, the number is not easily read by emergency service responders approaching from either direction on the street during all twelve (12) months of the year,

then the number should be placed on a stake at the edge of the driveway leading to the house. The location of numbers on a mailbox will suffice if the mailbox is labeled on both sides and is located at the driveway and there is no confusion about location of the dwelling.

- D. In the case of shared driveways, property owners should adequately label all building numbers at the entrance to the driveway, and additional markings should be posted at appropriate junctions in the driveway to alleviate any questions in the mind of emergency service personnel.

§ 60-6. Enforcement.

Violations shall be enforced by the Board of Selectmen and/or its designee.

SECTION 4. This bylaw shall take effect thirty (30) days after publication of the adoption hereof or October 15, 1993, whichever date is later.

Chapter 60

BUILDINGS, NUMBERING OF

§ 60-1. Authorization to institute system.

§ 60-2. Assignment of numbers; notice.

[HISTORY: Adopted by the Town of Leverett 2-17-73 Annual Town Meeting, Art. 11. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 58.

Zoning — See Ch. 170.

Subdivision of land — See Ch. 229.

§ 60-1. Authorization to institute system.

The Planning Board is authorized to institute a house-numbering system for the purpose of aiding the dispatch of emergency vehicles and for general public convenience.

§ 60-2. Assignment of numbers; notice.

The Board is empowered to assign numbers to all existing and future structures, notifications of such assignments to be mailed to the owners by the Planning Board after approval by the Board of Selectmen.

LEVERETT TOWN BYLAWS

PROPOSED AMENDMENTS TO
Chapter 30, PERSONNEL

SECTION 1. Subsections A, B and I of § 30-5 of the Code of the Town of Leverett shall be amended to provide for a five-member Personnel Board and its membership, as follows:

A. Subsection A shall be amended in the introductory paragraph to change the phrase "three-person Personnel Board" to "five-person Personnel Board." The balance of the text of Subsection A shall remain in full force and effect.

B. Subsection B shall be amended to provide for the increase in membership, to read as follows:

"B. The membership of the Board shall be as follows: one (1) member of the Board of Selectmen, to be drawn from and chosen by the Board of Selectmen; one (1) member of the Finance Committee, to be drawn from and chosen by the Finance Committee; and three (3) members at large, to be appointed by the Moderator. Appointees shall be registered voters of the town and shall not be an employee of the town or under the direction of the School Committee. The term of office shall be for three (3) years, except for the first term, which shall be as follows: for the Selectman, one (1) year; for the Finance Committee member, two (2) years; and for the members at large, one (1) for one (1) year, one (1) for two (2) years and one (1) for three (3) years. The Administrative Assistant shall be an ex officio member."

C. Subsection I shall be amended to read as follows:

"I. Any three (3) members shall constitute a quorum for the transaction of business."

SECTION 2. WHEN EFFECTIVE.

This bylaw shall be effective _____

§ 30-5. Personnel Board.

- A. Pursuant to the authority contained in MGL C. 41, § 108C, there shall be established a three-person Personnel Board, which shall administer the provisions of this chapter, determine any questions arising hereunder and advise the town in any matters pertaining thereto. The authority of this chapter charges the Personnel Board with the following responsibilities:
- (1) Describing the duties and responsibilities of all positions to which this chapter is applicable.
 - (2) Authorizing a compensation plan for those positions.
 - (3) Providing for the administration of said compensation plan.
 - (4) Establishing working conditions and fringe benefits for employees occupying the positions described in § 30-3.
 - (5) Providing for the compilation and revision of an employee handbook which describes the conditions of employment with the town, including job descriptions, compensation plans, fringe benefits and vacations.
- B. The membership of the Board shall be as follows: one (1) member of the Board of Selectmen, to be drawn from and chosen by the Board of Selectmen; one (1) member of the Finance Committee, to be drawn from and chosen by the Finance Committee; and one (1) member at large, to be appointed by the Moderator. An appointee shall be a registered voter of the town and shall not be an employee of the town or under the direction of the School Committee. The term of office shall be for three (3) years, except for the first term, which shall be, for the Selectmen, one (1) for one (1) year; for the Finance Committee, one (1) for two (2) years; and for the member at large, one (1) for three (3) years. The Administrative Assistant shall be an ex officio member.
- C. Vacancies, other than by expiration of terms, shall be filled in the same manner and by the same authority for the balance of the unexpired term. In the event that such a vacancy is not filled within sixty (60) days of written notice, the remaining

Massachusetts Municipal Association

Background on Lottery Aid

The Massachusetts Lottery was established 21 years ago for the exclusive purpose of providing cities and towns with an additional revenue source to support local services and to reduce property taxes.

For the past several years, the state has subverted the statutory intent of the Lottery by diverting portions of lottery revenue away from cities and towns and into the state's general fund (see graph on reverse side). Beginning in FY '90, the state routinely diverted all the growth in lottery proceeds away from cities and towns. By Fiscal Year 1992 the state was taking \$75 million in lottery monies, or nearly 20% of total lottery proceeds, away from communities and using it for state budgetary purposes.

Last summer, the MMA worked with the legislature to halt to the practice of level funding the "local share" of the lottery. Representative Frank Hynes of Marshfield offered and won an amendment to the state budget that allowed cities and towns to receive the estimated \$23 million growth in lottery revenues for FY '93. The amendment was included in the budget that was sent to the Governor's desk. The Governor vetoed the increase, but his veto was unanimously overridden by both the House and Senate.

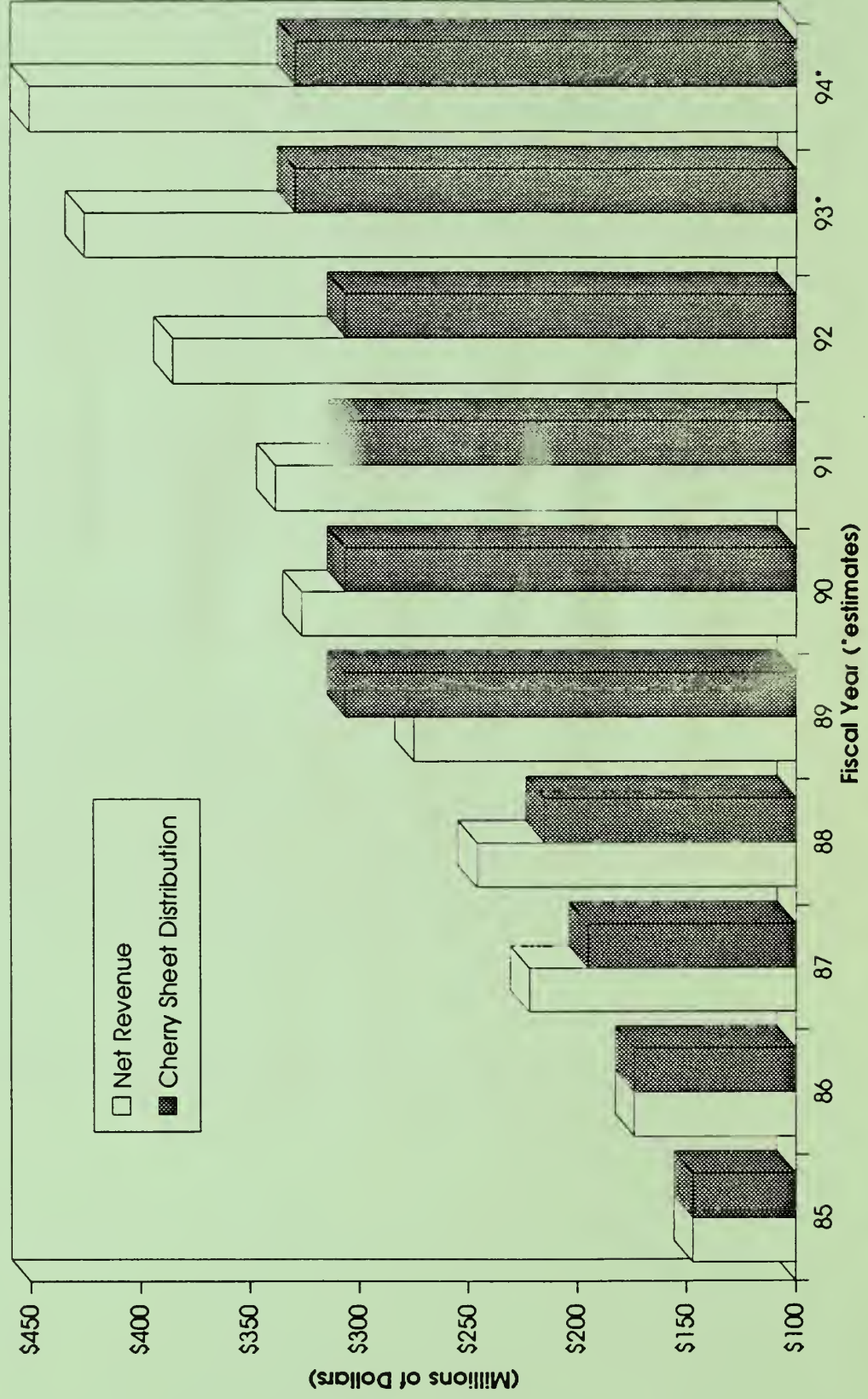
The projected FY '93 lottery increase was very conservative. The actual growth in lottery revenue will be \$41 million. In essence, cities and towns still face a lottery shortfall of \$18 million.

The FY '94 budget submitted by Governor Weld (House One) proposes a return to the practice of capping the lottery and not giving cities and towns their rightful increase of lottery revenue. Once again, working with the legislature, the MMA will offer a budget amendment to guarantee that cities and towns receive the full growth of lottery funds in FY '94. If this amendment is adopted, lottery aid would increase for municipalities by approximately \$47 million in FY '94. This MMA amendment is very reasonable because the state would still be allowed to retain \$75 million in lottery revenues in FY '94. Next year, the MMA plans to eliminate the entire state diversion of lottery funds, so that cities and towns will once again receive one hundred percent of lottery revenues.

Model Warrant Article

To see if the town of _____ will instruct its representatives to the General Court to support an amendment to the FY '94 state budget to guarantee that cities and towns receive the full \$47 million growth in lottery revenues.

Lottery Fund Diversions, FY85-93



Massachusetts Municipal Association

Gas Tax Revenue Sharing Act/Local Roads Fund

House Bill 1567/Senate Bill 1409

Over the past several years, the state has failed to meet its commitments to share with cities and towns state motor fuel excises collections, mainly the gasoline excise. For FY'93, collections are expected to total \$545 million. Even when local roadway spending has been authorized, state reimbursement of local expenses has been regularly delayed which has forced municipalities into costly borrowing. The Gas Tax Revenue Sharing Act legislation filed by the MMA for consideration in the 1993 legislative session would establish a new motor fuel excises revenue sharing statute. This Act would ensure that cities and towns receive a fair share of gas tax collections and that proceeds are not diverted to non-local projects and spending programs. In addition, it would set a timetable for state distributions to provide some certainty for local finance officials.

State law requires that 15 percent of gas tax collections be distributed to cities and towns, with half of this amount earmarked for Chapter 90 roadway construction and repair. In addition, the state has customarily administered a reimbursement-based Chapter 90 program funded with state bond proceeds. Since FY'89, the state has only partially fulfilled its obligations. This has resulted in an inadequate amount of revenue available for local road construction and improvement projects and for the policing of local streets. In addition, the volatility in funding from year to year has also disrupted the local planning process and has led to the delay in completion of some local road projects.

In FY'90, cities and towns received only about 8 percent of tax collections through the Cherry Sheet Highway Aid account. No Chapter 90 funds were distributed in this year. In FY'91, the Cherry Sheet account was zeroed out. Chapter 90 bond-funded spending authorizations were distributed. In both FY'92 and FY'93, the Cherry Sheet account was fully funded and Chapter 90 bond program authorizations were again distributed. In FY'93, the Chapter 90 grant program was also reinstated. In these two years, the local share of motor fuel excises collections totaled about 15 percent plus the state expense of the Chapter 90 bond program. For FY'94, the Governor has recommended that the Cherry Sheet account be fully funded, but that the Chapter 90 grant program be eliminated. In addition, there are no Chapter 90 bond funds available in FY'94. The current outlook for next year is for cities and towns to receive \$43.5 million, or only 7.5 percent of gas tax collections.

The Gas Tax Revenue Sharing Act would create a new state fund called the Local Roads Fund. An amount of tax collections equivalent to 10 cents of the 21 cent gas tax rate -- or 47.6 percent of collections -- would be credited to the fund and could be used only for distributions by the State Treasurer to cities and towns for appropriation for local road construction and maintenance programs, including the reconstruction of gravel roads, and for the policing of local streets. About 80 percent of Massachusetts lane-miles are maintained locally. Municipalities could also use the funds for the construction of salt storage sheds and for the replacement/removal of underground municipal DPW fuel tanks.

Model Warrant Article

To see if the town of _____ will instruct its representatives to the General Court to support legislation filed by the Massachusetts Municipal Association that would establish in state law a Local Roads Fund in order to ensure a fair and predictable share of state gas tax collections for distribution to cities and towns for use on local roads.

FY94 4-5-93 ARTICLE	TOTAL EXPENDITURES	RAISE/ APPROPRIATE	FREE CASH	AVAILABLE FUNDS	BORROWING
3 OPERATING BUDGET	2,000,133 *	2,000,133 *			
6 RESERVE ACCT	40,000	20,000	20,000		
7 STABILIZATION	30,000	30,000			
8 HIGHWAY GARAGE	9,000	9,000			
9 TRUCK ENGINE	5,000	5,000			
10 PAINT TOWN HALL	2,100	2,100			
11 LIBRARY RAMP	2,500	2,500			
12 LIBRARY COMPUTER	2,000	2,000			
13 CC LAND	1,500	1,500			
14 SCHOOL SUPPLEMENT	46,390	46,390			
15. SCHOOL ELEVATOR					200,000
16. TRANSFER STATION LAND	1,000	~~1,000~~	1,000		
17. TRANSFER STATION					38,000
5. CHAPTER 90 Hwy				73,683	
TOTAL	2,139,623	2,119,623	20,000	73,683	238,000

* includes 10,350 Recreation Appropriation

ADDITIONAL EXPENDITURES (estimates)

OVERLAY 25,000
 STATE / COUNTY 27,425
 OFFSETS
 School Lunch 945
 Library 1,975
55,345

TOTAL OPERATING BUDGET 2,000,133 *
 TOTAL ADDITIONAL EXP. 55,345
 TOTAL ARTICLES 119,490

GRAND TOTAL 2,174,968

* includes 10,350 Recreation

REVENUE

FY 94 LEVY LIMIT 1,702,107
 LOCAL RECEIPTS 198,473 *
 LOCAL AID 106,472

TOTAL 2,007,052

* includes 10,350 Revenue from Recreation

EXPENDITURES - REVENUE = DEFICIT
 2,174,968 - 2,007,052 = 167,916

BREAKDOWN OF DEFICIT

OPERATING BUDGET 48,426
 SCHOOL SUPPLEMENTAL 46,390
 REMAINING ARTICLES 73,100
TOTAL 167,916

FREE CASH 130,626
 STABILIZATION 170,867
 LANDFILL FUND 44,113

me 5/9/93

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

TOWN OFFICERS ELECTED

Town of Leverett

In accordance with the requirements of the General Laws, I certify that the following persons were elected to town officers at the annual town election held on April 24, 1993

(date of election)

Town Clerk D'Ann Sauer Kelly

Return immediately after town election to the Secretary of State, Elections Division, Room 1705, McCormack Building, 1 Ashburton Place, Boston, MA 02108.

OFFICE	NAME	TERM EXPIRES
Moderator	Richard M. Howland	1996
Assistant Moderator	Gary Gruber	1994
Auditor	Steve Nagy	1994
Selectboard	Donald Gibavic	1996
Board of Health	David Pozar	1995
Board of Health	Peter Reich	1996
Board of Health	Morgan Mead	1996
Assessor	David Palmer	1996
School Committee	Karen Rubin	1996
School Committee	Judith Weinthaler	1996
Finance Committee	Steve Smidowicz	1996
Library Trustee	Sandra Corcoran	1996
Library Trustee	Christopher Condit	1996
Planning Board	Kenneth Kahn	1998
Constable	James Lyons	1996
Tree Warden	William Stratford	1994

NAMES OF THE SELECTMEN AND CLERKS

TOWN : LEVERETT

BOARD OF SELECTMEN

TERM EXPIRES

Chairperson: Fenna Lee Bonsignore

1995

Donald L. Gibavic

1996

Alice J. Rarig

1994

DATE OF TOWN MEETING: April 24, 1993

TOWN CLERK: D'Ann Sauer Kelty

Town Clerk's
Business Phone (413) 548-9150 Home Phone (413) 548-9797

Clerk's FAX number OR
other town office FAX number (413) 548-9666 other Town Hall number

Town Clerk's Office Hours MWF 9-12:30 M 6-7:30pm

If town clerk is elected this year, name of individual elected :

Term Expires

Home Phone ()

Signed D'Ann Sauer Kelty
(Town Clerk)

Please return to : The Secretary of State
Elections Division
Room 1705
One Ashburton Place
Boston, MA 02108
Phone : (617)727-2828 or 1-800-462-VOTE
FAX : (617) 742-3238

City/Town : Leverett

In accordance with the General Laws, I certify that at the close of registration on the number of registered voters was as follows:

Date of close of registration: 4-2-93

NUMBER OF
REGISTERED
VOTERS

NUMBER OF
PEOPLE WHO
VOTED

NUMBER OF
REGISTERED
VOTERS

NUMBER OF
PEOPLE WHO
VOTED

WD. PCT.

		1144	92				
TOTAL							

CITY OR TOWN CLERK OR ELECTION COMMISSIONER: Laverette - D'Ann Sauer Kettig

D'Am

Notes on procedure for reconvening annual town meeting
June 2, 1992

ARTICLE 3 (operating budget)

This article must be reconsidered.

The revised motion to read: To see if the town will vote to raise and appropriate 1,961,789 to meet town expenses.

This amount is \$20,000 less than the amount approved on April 24.

\$10,000 has been removed from 300 Schools, Regional School. That line item becomes 569,762. The Schools total becomes 1,297,548.

\$10,000 has been removed from 422 Highway Department from Asphalt & blacktop. That line item becomes 14,000, total Highway expenses becomes 59,625 and the total Highway budget becomes 126,242.

ARTICLE 6 40,000 for the Reserve Account, 20,000 from raise and appropriate and 20,000 from Free Cash.

This article needs to be reconsidered because the override to fund the 20,000 from raise and appropriate failed.

MOTION: ? (You could have the Reserve Account stay at 20,000 or you could vote to increase it from Free Cash. You could leave it at 20,000 now and plan to increase it at a later STM)

ARTICLE 7 30,000 from raise and appropriate for the Stabilization Account.

This needs to be reconsidered because the override to fund it failed.

MOTION: ?

ARTICLES 12 & 14: These articles do not have to be reconsidered because the original wording made them contingent on the override votes to fund them. Since the overrides failed, no further action is required.

See my memo and spread sheet of May 26 for the mathematics of revenue and expenditure revisions.

To: Leverett Residents
From: Lorna Rivers, Library Director
Subject: Computer Request
Date: April 24, 1993

The Bradford M. Field Memorial Library's circulation has been jumping by leaps and bounds. In 1990 circulation was 3,695; in 1991, 11,158; and in 1992, 17,362! Through April 30, the total of 6,432 is ahead of 1992. The charging/discharging of materials, record-keeping, and book cataloging (now done at home) can be done more efficiently with a computer in the library. We would like to purchase a "486" based IBM-compatible computer, circulation software, bar code wand, modem, CD-ROM drive, and printer.

The advantage of having a computer in the library are many. The highest priority use for the system would be circulation by wanding bar codes rather than the manual stamping of books. Instantly, statistics would be obtained rather than after countless hours of sorting and tabulating circulation cards. The Western Massachusetts Regional Library System's winter newsletter states that "Directors of small libraries estimate that as much as 80% of their typical work day is involved in circulation and technical processing activities, leaving precious little time for book selection, weeding, attending continuing education programs, arranging programs for the public or providing reference service." Ultimately, my goals are to provide an up-to-date encyclopedia on CD-ROM, develop an electronic card catalog, conduct library inventory, purchase books electronically, and have immediate access to book data for filling interlibrary loans.

The Library's FY94 budget as submitted by the Trustees to the Select Board included a part-time assistant's position that would have cost \$3,120. Since the town's fiscal resources are severely strained, this request was denied. As an alternative, I have proposed to purchase a computer system whose cost (*rough* estimate \$7,000) would be shared by Library Trust Funds, Friends of the Library money, and Town money.

At the April 24 Town Meeting there will be an article sponsored by the Trustees to raise and appropriate \$2,000 towards such a system. If this article passes, this money would be dependent on a "menu" override vote. Because this is a capital expenditure exclusion the tax rate would go up approximately \$0.018 *for the coming year only*. This figures to be about \$2.70 for one year on a home valued at \$150,000.

Your support is needed for this proposal. Please voice your opinion at Town Meeting during the discussion of this Article and vote "yes" both at Town Meeting and

To: Leverett Residents
From: Lorna Rivers, Library Director
Subject: Computer Request
Date: April 24, 1993

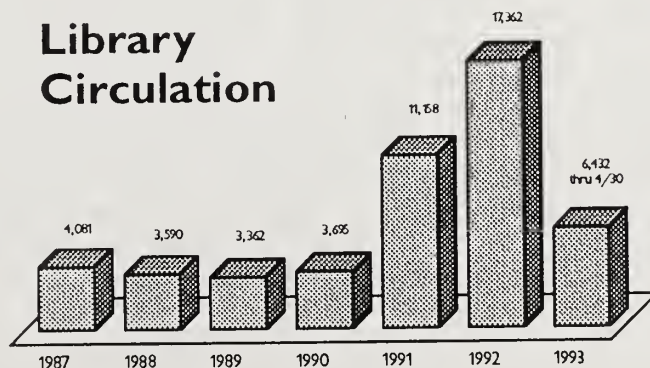
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Your support is needed for this proposal. Please voice your opinion at Town Meeting during the discussion of this Article and vote "yes" both at Town Meeting and on the override vote.



To: The Citizens of the Town of Leverett

From: Leverett Finance Committee

Date: April 24, 1993

Re: Recommendations on Warrant Articles

At meetings held on March 18, April 8, April 15, and April 22, 1993, the Leverett Finance Committee discussed the articles to be presented and voted upon at the 1993 Annual Town Meeting. Below are our recommendations and a brief summary of our deliberations. Recommendations included herein are only those that are of financial interest to the Town, which is the charge of the Finance Committee. We have omitted articles that are not financial in nature.

Article Two: This article takes the funding of the Recreation Commission out of the budget. We recommend.

If initiated, the revolving fund will make the Recreation Commission self-sufficient. Basically, the commission is already self-sufficient. Now, funds are included in the budget based on anticipated expenses. These expenses are then offset by an anticipated local receipt when figuring out the Town's annual expenditures. This fund removes Recreation from both budget and income sides of the ledger.

Article Three: This is the Town's Annual Budget for FY 1994. We recommend.

The Finance Committee has been in close negotiations with the Select Board, the Capital Planning Committee, and all other Town Departments and Commissions in the preparation of this budget. As presented, the budget is the result of meetings and hearings that began in December of last year. The final figure will insure that the Town continues to meet its current level of service to its residents.

Article Four: Support the use of Regional School funds for design costs related to an expansion and renovation of the Regional High School. We recommend.

While this is an advisory vote, the Finance Committee is in support of the use of the Excess and Deficiency Fund monies for this purpose. Hiring an architect for these purposes is well within the scope of this fund. We are also aware that there are space needs at the regional level that need to be addressed. Using this reserve fund before any building costs are incurred will reduce the cost of the bonding for the project.

Article Five: Vote to expend \$73,683 available from Transportation Bond monies. We recommend.

This is the housekeeping article that allows us to accept this money from the state and spend it for highway and bridge work.

Article Six: Raise/appropriate from Free Cash \$40,000 into Reserve Account. We recommend.

This the Reserve Account that the Finance Committee uses to pay for those unanticipated and underbudgeted items that occur throughout the year. The Reserve Account is like the town's checking account. It provides additional money, if needed, when we must pay for something that is not in the budget.

Article Seven: Raise and appropriate \$30,000 for the Stabilization Account. We recommend.

This money is needed to increase the money available for our major capital purchases, including fire trucks, police cruisers, and for major projects. The town needs to increase this fund regularly if we expect to save up for these major items.

Article Eight: Raise and appropriate \$9,000 for repair of the Town Garage. We recommend.

The town garage is in need of repair. Examining the building showed that there are structural problems. The doors on the garage should be replaced so it can be heated efficiently. It is estimated that the savings in yearly heating costs will make up for the cost of the doors in one year.

Article Nine: Raise and appropriate \$5,000 for repair of dump truck. We recommend.

The dump truck is a well used and depended upon piece of equipment. This repair is necessary to insure that the engine will function properly and will give longer life to the truck. If we do not spend the money now, it could easily cost the Town \$10,000 later.

Article Ten: Raise and Appropriate \$2,100 to paint Town Hall. We do not recommend.

Like everyone else, the Finance Committee takes pride in the appearance of the Town's buildings. Finances being what they are, however, it is our judgement that delaying the painting of Town Hall will not hurt out public image.

Article Eleven: Raise and appropriate \$2,500 for a ramp at the Bradford M. Field Library. We recommend.

This is one of many steps needed to make Town buildings universally accessible. New federal laws require that public buildings become universally accessible. This is a small amount to make the library available to all the patrons of the library.

Article Twelve: Raise and appropriate \$2,000 to purchase a computer for the Bradford M. Field Library. We do not recommend.

It would be nice to upgrade the services and recording procedures at the library. The Finance Committee thinks that the Town has more pressing financial needs than to purchase this computer at present.

Article Thirteen: Raise and appropriate \$1,500 for the Land Acquisition Fund. No recommendation.

Article Fourteen: Raise and appropriate \$46,390 to supplement Elementary School budget request. We do not recommend.

The Elementary School budget, as requested in the FY 94 Annual Town Budget has increased by \$26,634 over FY93. This increase is proportional to the Elementary School's percentage of the total budget in previous years. The Elementary School has requested an additional \$46,390 over and above this increase. The Finance Committee believes that this amount should not be budgeted simply because it is anticipated from the state in revenues. If the school receives this amount, then it will have access to these funds. If it is not received, then we think the Elementary School should stay within the guidelines that other town departments and committees have. We suggest that this amount will not be all that detrimental to the operation of the school as a whole. One item that both the Select Board and the Finance Committee suggested that the School Committee remove from its budget request was item 2300-10 "Collective Bargaining Contingency." The Finance Committee noted that this amount, almost 42,000 of the requested 46,390, should not be budgeted since a collective bargaining agreement has not been reached. If such a sum were available, its presence in the budget could possibly work to the disadvantage of any bargaining discussions. Finally, if this article passes, it will add forty-three cents to our tax rate.

Article Fifteen: Borrow \$182,044 for purchase and installation of elevator, chair lift, and additional handicapped accessibility construction. We do not recommend.

This article required much discussion and debate. The result of these discussions is that the Finance Committee thinks a delay of this construction would ease the burden of the Leverett's overtaxed households. We are not against making the school universally accessible, nor are we insensitive to the needs of children. Our concern is the total impact today's decisions have on the tax rate. There is no immediate need for this construction, since class assignments can be made to accommodate all children in the school for next year. These circumstances apparently will change in the 1994-1995 school year. At that stage, we recommend bringing this article before the FY94 Town Meeting.

Article Sixteen: Appropriate, or transfer from available funds, \$1,000 for purchase of land for the solid waste transfer station. We recommend.

This land is necessary to put the new solid waste plan into effect. Since the transfer station cannot be located over the current landfill, the purchase of the adjacent land will make the transition an easy and inexpensive one.

Article Seventeen: Borrow \$38,000 to design, construct and equip a Transfer Station for solid waste disposal. We recommend.

The current landfill must be closed by October 1993. This is the cost for the initial setting up of the Transfer Station as an alternative. After this initial cost, the Transfer Station should be self-sufficient in subsequent years.

Article Twenty-One: Establish a revolving fund to compensate a custodian at the Leverett Elementary School. We recommend.

There is much need for a night custodian at the school because of the amount of use the school gets after hours. This fund will allow the Town to charge fees to those groups using the school and to use these fees to compensate a custodian without burden on the taxpayer.

Article Twenty-Two: To instruct representatives to support an amendment to the FY94 state budget to guarantee that cities and towns receive the full \$47 million in lottery revenues. We recommend.

This article asks the town to write our representatives and let them know we are out here watching what they are doing. It will state that, if we in the municipalities give the state money, we want to get some of it back.

**LEVERETT ELEMENTARY SCHOOL
BUDGET COMPARISON/SUMMARY**

<u>AREA</u>	<u>FY 93 BUDGET</u>	<u>PROPOSED FY 94 BUDGET</u>
<u>1000 ADMINISTRATION</u>		
Leverett Elementary	\$ 1,905	\$ 1,906
Share of Union #28	<u>54,640</u>	<u>51,825</u>
Subtotal	56,545	53,731
<u>2000 INSTRUCTION</u>		
Salaries: Principal	43,000	43,000
Clerical	15,669	15,959
Teachers	324,238	345,172
Aides	46,957	45,668
Librarian	18	6,905
Nurse, Doctor, Psychologist	23,903	27,421
Collective Bargaining Contingency	9,553	41,892
Substitutes	4,300	5,000
Sped Contracted Services	16,500	16,500
Instructional Supplies	17,400	17,800
Textbooks	2,100	3,000
Other	8,525	14,184
Share of Union #28	<u>281</u>	<u>257</u>
Subtotal	512,444	582,758
<u>3000 OTHER SCHOOL SERVICES</u>		
Sped Transportation	7,000	12,500
General Health Services	6,704	10,282
Food Service	<u>4,000</u>	<u>4,000</u>
Subtotal	19,704	26,782
<u>4000 PLANT OPERATION/MAINTENANCE</u>		
Custodial Salaries	32,556	33,837
Custodial Supplies	2,600	2,600
Fuel	11,500	9,000
Power	25,500	26,775
Telephone	1,500	1,500
Building Maintenance	12,200	12,500
Ground, Equipment, Other Maintenance	3,910	3,911
Share of Union #28	<u>1,295</u>	<u>1,108</u>
Subtotal	91,061	91,231
<u>5000 FIXED CHARGES</u>		
Insurance	3,000	3,000
Share of Union #28	<u>1,167</u>	<u>1,167</u>
Subtotal	4,167	4,167
<u>7000 ACQUISITION OF EQUIPMENT</u>		
Acquisition of New Equipment	3,000	0
Share of Union #28	<u>281</u>	<u>257</u>
Subtotal	3,281	257
<u>9000 PROGRAMS WITH OTHER DISTRICTS</u>		
Tuition	<u>0</u>	<u>15,000</u>
Subtotal	0	15,000
SUBTOTAL	\$ 687,202	\$ 773,926
<u>ADDITIONAL APPROPRIATION</u>		
Sped Transportation	800	0
Sped Tuition	<u>12,900</u>	<u>0</u>
Subtotal	13,700	0
TOTAL	\$700,902	\$773,926

The Leverett Elementary School was able to survive this nearly level-funded budget in FY93 due to the Per Pupil Education Aid Grant of \$21,100 which funded the following, which School Committee has anticipated for FY94 as well:

.5 Teacher	\$11,740
.2 Librarian	4,742
.4 Aide	<u>4,618</u>
	\$21,100

LEVERETT SCHOOL COMMITTEE

**FY 94
APPROVED BUDGET**

March 15, 1993

BUDGET REPORT OF ERVING SCHOOL UNION #28 for FISCAL YEAR 1994
 LEVERETT ELEMENTARY SCHOOL - MARCH 15, 1993

PAGE 1

account number	account title	1992 adjusted	1992 expended	1993 adjusted	1994 approved	difference curr/appv	
FUND SOURCE: LEVERETT LOCAL A L02							
FUNCTION: SCHOOL COMMITTEE 1							
L02	LVE/1109-000-40	LEGAL COUNSEL	1000	650	1000	1000	0
L02	LVE/1109-000-42	CONTRACTED SERVICES	0	0	0	1	1
L02	LVE/1109-000-62	SCHOOL COMMITTEE CONFERENCES	150	0	0	0	0
L02	LVE/1109-000-69	ALL OTHER EXPENSES	250	17	250	250	0
L02	LVE/1109-000-6C	SCHOOL COMMITTEE ADVERTISING	300	952	600	600	0
L02	LVE/1209-000-69	CENSUS	55	0	55	55	0
L02	U28/1109-000-40	LEGAL COUNSEL-UNION	134	160	140	129	-11
L02	U28/1109-000-42	FINANCIAL AUDIT-GRANTS	536	0	561	514	-47
L02	U28/1109-000-60	EDUCATIONAL LEADERSHIP IMPRVMT DUES	374	354	421	463	42
L02	U28/1209-000-10	SUPT'S SALARY	16439	16438	18228	17363	-865
L02	U28/1209-000-11	ASST SUPT'S SALARY	11065	11065	12335	11750	-585
L02	U28/1209-000-20	SECRETARY'S SALARY	6155	6155	6799	6484	-315
L02	U28/1209-000-21	BOOKKEEPERS' SALARY	9994	10111	11014	10483	-531
L02	U28/1209-000-40	MACHINE RENTAL CONTRACT	54	53	56	58	2
L02	U28/1209-000-41	MACHINE MAINTENANCE	589	790	617	565	-52
L02	U28/1209-000-42	COMPUTER CONTRACTED SERVICES	549	482	561	514	-47
L02	U28/1209-000-50	OFFICE SUPPLIES	643	991	673	617	-56
L02	U28/1209-000-51	POSTAGE	777	785	814	745	-69
L02	U28/1209-000-52	PRINTING EXPENSE	214	235	224	129	-95
L02	U28/1209-000-53	CLASSIFIED ADS	321	347	337	308	-29
L02	U28/1209-000-62	SUPT'S CONFERENCE	428	220	449	411	-38
L02	U28/1209-000-63	PROFESSIONAL LIBRARY	67	131	196	180	-16
L02	U28/1209-000-64	SUPT'S TRAVEL	569	569	597	546	-51
L02	U28/1209-000-66	SUPT'S OUT OF STATE TRAVEL	80	50	84	77	-7
L02	U28/1209-000-67	ASST SUPT'S TRAVEL	443	443	464	425	-39
L02	U28/1209-000-69	OFFICE CONFERENCES	67	106	70	64	-6
	function sub-total	SCHOOL COMMITTEE))	51253	51113	56545	53731	-2814
FUNCTION: INSTRUCTION 2							
L02	LVE/2101-000-61	INSERVICE TRAINING	750	0	0	750	750
L02	LVE/2101-000-63	PRG. LIBRARY (STAFF)	100	95	0	200	200
L02	LVE/2201-000-10	PRINCIPAL'S SALARY	40921	40785	43000	43000	0
L02	LVE/2201-000-20	CLERICAL SALARY	14607	14662	15669	15959	290
L02	LVE/2201-000-41	OFFICE MACHINE MAINTENANCE	3700	3526	4000	4000	0
L02	LVE/2201-000-50	OFFICE SUPPLIES	2325	815	2500	2500	0
L02	LVE/2201-000-69	PROFESSIONAL EXPENSE	425	414	0	200	200
L02	LVE/2300-000-10	COLLECTIVE BARGAINING CONTINGENCY	0	0	9553	41892	32339
L02	LVE/2301-000-10	TEACHERS' SALARIES	346775	350683	324238	345172	20934
L02	LVE/2301-000-30	TEACHER AIDES SALARY	40183	39513	46957	45668	-1289
L02	LVE/2301-000-40	ORGANIZATIONAL MEMBER	300	0	0	0	0
L02	LVE/2301-000-41	SUBSTITUTES SALARY	4300	4800	4300	5000	700
L02	LVE/2301-000-50	INSTRUCTIONAL SUPPLIES	15900	14942	15200	15600	400
L02	LVE/2301-000-50	KINDERGARTEN SUPPLIES	1200	1083	1200	1200	0
L02	LVE/2302-000-17	NURSE'S SALARY (SPED)	8555	8756	8891	8919	28
L02	LVE/2302-000-40	SPED CONTRACTED SERVICES	13500	17582	16500	16500	0
L02	LVE/2302-000-41	DOCTOR'S SALARY (SPED)	500	343	500	500	0
L02	LVE/2302-000-64	SPECIAL TRAVEL	25	0	25	25	0

BUDGET REPORT OF ERVING SCHOOL UNION #28 for FISCAL YEAR 1994
 LEVERETT ELEMENTARY SCHOOL - MARCH 15, 1993

PAGE 2

account number	account title	1992 adjusted	1992 expended	1993 adjusted	1994 approved	difference curr/appv
L02 LVE/2302-000-90	EARLY C'HOOD SPED TUITION	7682	2277	2000	4509	2509
L02 LVE/2309-000-42	CONTRACTED SERVICES	0	0	0	2000	2000
L02 LVE/2401-000-50	TEXTBOOKS	1664	1764	2100	3000	900
L02 LVE/2501-000-10	LIBRARIAN SALARY	36	0	-4	0	4
L02 LVE/2501-000-30	LIBRARY AIDE SALARY	0	0	22	6905	6883
L02 LVE/2501-000-50	LIBRARY MATERIALS	1000	386	500	500	0
L02 LVE/2601-000-50	AUDIO-VISUAL MATERIALS	1000	542	500	500	0
L02 LVE/2802-000-10	PSYCHOLOGIST'S SALARY	14160	14022	14512	18002	3490
L02 U28/2101-000-61	UNION INSERVICE	268	205	281	257	-24
function sub-total INSTRUCTION))		519876	517401	512444	582758	70314
FUNCTION: OTHER SCHOOL SER 3						
L02 LVE/3101-000-30	ATTENDANCE SALARY	0	0	0	0	0
L02 LVE/3201-000-10	NURSE'S SALARY (REG)	2852	2918	2964	4294	1330
L02 LVE/3201-000-12	NURSE'S AIDE SALARY	5347	5158	5290	5537	247
L02 LVE/3201-000-41	DOCTOR'S SALARY (REG ED)	100	0	100	100	0
L02 LVE/3201-000-50	HEALTH SUPPLIES	300	412	350	350	0
L02 LVE/3302-000-40	SPED. TRANSPORTATION	0	0	7800	12500	4700
L02 LVE/3409-000-69	FOOD SERVICE	4000	0	4000	4000	0
L02 LVE/3529-000-42	CONTRACTED SERVICES	0	0	0	1	1
function sub-total OTHER SCHOOL SER))		12599	8489	20504	26782	6278
FUNCTION: PLANT OPERATION/ 4						
L02 LVE/4119-000-32	CUSTODIAL SALARIES	31999	33809	32556	33837	1281
L02 LVE/4119-000-50	CUSTODIAL SUPPLIES	2500	2614	2600	2600	0
L02 LVE/4129-000-66	FUEL	11500	6187	11500	9000	-2500
L02 LVE/4139-000-65	ELECTRIC POWER	14500	16776	25500	26775	1275
L02 LVE/4139-000-68	SCHOOL TELEPHONE	1300	1475	1500	1500	0
L02 LVE/4219-000-69	GROUNDS MAINTENANCE	1960	1804	1960	1960	0
L02 LVE/4229-000-69	BUILDING MAINTENANCE	8000	12443	12200	12500	300
L02 LVE/4239-000-64	MAINTENANCE TRAVEL	450	479	450	450	0
L02 LVE/4239-000-69	EQUIPMENT MAINTENANCE	1500	2310	1500	1500	0
L02 LVE/4249-000-42	CONTRACTED SERVICES	0	0	0	1	1
L02 U28/4119-000-32	CENTRAL OFFICE CUSTODIAN	296	293	313	286	-27
L02 U28/4139-000-68	CENTRAL OFFICE TELEPHONE	937	741	982	822	-160
function sub-total PLANT OPERATION/))		74942	78936	91061	91231	170
FUNCTION: FIXED CHARGES 5						
L02 LVE/5209-000-61	SCHOOL COMMITTEE INSURANCE	2000	544	1800	1800	0
L02 LVE/5209-000-65	STUDENT COVERAGE	1000	1100	1200	1200	0
L02 U28/5209-000-60	DISABILITY INSURANCE	96	96	101	93	-8
L02 U28/5309-000-6E	CENTRAL OFFICE RENT	1018	1017	1066	1074	8
function sub-total FIXED CHARGES))		4114	2758	4167	4167	0
FUNCTION: ACQUISITION/IMPRO 7						
L02 LVE/7209-000-80	BUILDING IMPROVEMENTS	0	0	0	0	0
L02 LVE/7309-000-80	ACQUISITION OF NEW EQUIPMENT	5000	5123	3000	0	-3000
L02 LVE/7409-000-80	REPLACEMENT OF EQUIPMENT	1650	3578	0	0	0
L02 U28/7309-000-80	CENTRAL OFFICE NEW EQUIPMENT	268	394	281	257	-24

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[illegible]

CAPITAL PROJECTS FY90 - FY94
AT THE LEVERETT ELEMENTARY SCHOOL

Town appropriations: rounded costs after completion

A	Ventilation rehabilitation	\$
	Radon mitigation	
	Basement remodeling	
	Fuel Tank replacement: design/ engineering	
	Electrical safety measures	115,000
B	Modular Building, 2 classrooms & bathrooms	147,500
C	Fuel Tank replacement: construction	35,000
D	Water system improvements	20,000
E	Heating system improvements	10,500
F	Accessibility projects (site work, doors & entrances, curbs and ramps, elevator & lift, bathroom reconstruction)	205,000

533,000

**LEVERETT SCHOOL COMMITTEE
HANDICAPPED ACCESS PROJECT**

Phase I

Architects fees and preliminary construction	\$ 15,500
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Phase II

Architects fees to be able to seek bids	\$ 8,000
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Phase III

Elevator and chair lift, toilet alterations and additional costs	\$182,400
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April 23, 1993

To: Leverett Town Meeting

From: Charles Paulin, Leverett Representative

Gus Sayer, Superintendent of Amherst Pelham Regional Schools

Re: **FY94 Budget Proposal for Regional Schools**

BUDGET GUIDELINES

The Regional Committee developed the following budget guidelines:

1. Preserve present programs and services
2. Provide additional staff to meet demands of growth in student population.
3. Continue emphasis on curriculum development and in-service training.
4. Seek additional budget savings wherever possible.
5. Include funds for anticipated or actual contract settlements.

BUDGET PRIORITIES

The Regional School District Budget was developed with the following priorities in mind.

1. The committee believes that promoting high quality instruction is their most important priority. Despite severely limited resources, the Committee has tried to maintain a positive environment in the schools and to encourage teachers toward excellence in their work with students.
2. The FY94 budget continues support for maintenance projects, although we continue to defer many non-critical projects. Next year we will face replacement of the Junior High roof. We have learned that renovations of the High School can be rolled into a project to expand the High School building and be eligible for SBAB reimbursement from the State.
3. The Committee requested that HIV/AIDS education be expanded.
4. Our strong commitment to the goals of Becoming a Multicultural School System is maintained through ongoing staff development.

PROJECTED ENROLLMENTS AND SPACE NEEDS

The Regional Building Needs Committee has evaluated the long-range space needs of the secondary schools. Based on a report from that committee and a feasibility study for additions, the Committee voted to move Grade 9 to the High School as soon as an addition can be constructed. This will avoid a Junior High addition, unite the High School Program and reduce lost academic time spent in travel between buildings.

WHAT IS IN THE BUDGET

The Regional School Committee has approved a budget of \$12,116.839. The budget has been kept down to just 3.09% higher than the FY93 budget even though enrollment are projected to increase by 5%.

The Committee reduced the Superintendents budget proposal by eliminating the Dental Hygiene program and reducing other programs. To provide greater revenue, the Committee increased the fees for athletics by \$20.00 per sport and increased the price of school lunch to \$1.75. The FY94 assessment is proposed at \$ 579,762, which is a 6.02 increase over FY93.

The regional assessment to the Town of Leverett depends on several factors. The most important is Leverett's percentage of total enrollment. For FY94, the percentage will be 7.79%.

SALARY INCREASES

The committee has come to agreement with two bargaining units and remains in negotiation with several others. The Custodian Unit accepted a 0% in FY92, a stipend of \$400 in FY93, 2% in FY94 and 4% in FY95. The Teachers' unit accepted a 0% in FY93, 2% in FY94 and 4% in FY95. The contract settlements are comparable or lower than settlements with Teachers in nearby communities and across the State.

ADDITIONAL BUDGET DATA

Comparative fiscal data is available in a separate handout.

AMHERST-PELIHAM REGIONAL
16-Apr-93
FISCAL 94 BUDGET REQUEST
**FY90
ACTUAL**
**FY91
ACTUAL**
**FY92
ACTUAL**
**FY93
CURRENT**
**FY94
REQUESTED**
DIFF
**%
DIFF**
**FY94
percent
of budget**
==INSTRUCTION==
****1 REGULAR EDUC****

102 LANGUAGE ARTS	\$546,860	\$555,206	\$594,176	\$605,971	\$604,481	(\$1,490)	-0.2%	4.99%
103 MATHEMATICS	526,937	566,217	569,469	594,287	621,942	27,655	4.7%	5.13%
104 SCIENCE	509,481	493,921	538,740	554,165	565,932	11,767	2.1%	4.67%
105 SOCIAL STUDIES	531,883	582,346	568,956	584,335	588,194	3,859	0.7%	4.85%
106 HEALTH EDUC.	48,509	52,440	61,184	64,163	64,609	446	0.7%	0.53%
107 ART	153,613	162,490	172,369	172,479	173,206	727	0.4%	1.43%
108 FOREIGN LANG.	471,819	512,583	510,374	494,896	513,085	18,189	3.7%	4.23%
109 MUSIC	161,552	169,190	180,423	181,157	180,073	(1,084)	-0.6%	1.49%
110 PHYS. EDUC.	364,552	361,409	380,931	389,338	381,187	(8,151)	-2.1%	3.15%
240 ATHLETICS	164,744	163,480	171,518	162,625	138,768	(23,857)	-14.7%	1.15%
111 READING	105,889	113,130	119,875	120,541	121,030	489	0.4%	1.00%
112 BUSINESS	117,633	117,366	123,454	85,044	84,857	(187)	-0.2%	0.70%
113 DRIVER EDUC.	25,866	26,874	4,786	0	0	0	#DIV/0!	0.00%
114 HOME EC	137,115	129,630	138,486	141,740	142,984	1,244	0.9%	1.18%
115 INDUST. ARTS	272,333	247,032	257,923	258,792	261,069	2,277	0.9%	2.15%
116 COMPUTER INSTR.	55,169	46,339	48,589	51,696	60,534	8,838	17.1%	0.50%
118 LAU/ESL	167,453	185,269	200,099	203,635	229,177	25,542	12.5%	1.89%
120 OTHER INSTR.	164,688	170,903	170,600	218,436	177,949	(40,487)	-18.5%	1.47%
TOTAL REG. EDUC	\$4,526,096	\$4,655,825	\$4,811,952	\$4,883,300	\$4,909,077	\$25,777	0.5%	41.55%

****SPECIAL EDUC****

121 SPED ADMIN	\$84,010	\$86,318	\$94,212	\$95,129	96,209	\$1,080	1.1%	0.79%
122 INSTRUCTION	299,587	295,101	319,894	416,115	420,640	4,525	1.1%	3.47%
123 PSYCH. SERVICES	69,471	83,986	91,521	91,007	91,022	15	0.0%	0.75%
124 SPEECH-HEARING	41,088	35,108	29,981	31,391	32,390	999	3.2%	0.27%
125 CONTRACTED SERV	545,457	582,870	586,086	537,160	521,893	(15,267)	-2.8%	4.31%
128 ALTERN. PROG.	136,020	155,352	154,904	189,930	192,165	2,235	1.2%	1.59%
TOTAL SPED	\$1,175,633	\$1,238,735	\$1,276,598	\$1,360,732	\$1,354,319	(\$6,413)	-0.5%	11.58%

==TOTAL INSTRUCTION==

\$5,701,729	\$5,894,560	\$6,088,550	\$6,244,032	\$6,263,396	\$19,364	0.3%	53.12%
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==INSTR. SUPPORT==
****PUPIL SUPPORT****

210 PPS ADMIN	\$6,817	\$7,360	\$7,452	\$7,643	\$7,643	\$0	0.0%	0.06%
220 GUIDANCE	366,532	355,925	378,304	392,021	394,809	2,788	0.7%	3.26%
230 HEALTH SERV.	62,104	69,380	72,495	71,855	64,378	(7,477)	-10.4%	0.53%
TOTAL PUPIL SUPP	\$435,453	\$432,665	\$458,251	\$471,519	\$466,830	(\$4,689)	-1.0%	4.01%

****PROGRAM SUPPORT****

330 INSTR SUPP ADMIN	\$29,623	\$30,926	\$31,348	\$34,324	\$34,132	(\$192)	-0.6%	0.28%
331 DEVELOPMENT SUPP	59,474	47,106	34,666	28,900	32,208	3,308	11.4%	0.27%
332 LIBRARIES	241,767	241,915	236,806	240,366	245,889	5,523	2.3%	2.03%
333 AV & TV	67,447	68,534	72,213	81,655	76,887	(4,768)	-5.8%	0.63%
TOTAL PROGRAM SUPP	\$398,311	\$388,481	\$375,033	\$385,245	\$389,116	\$3,871	1.0%	3.28%

****GENERAL ADMIN****

441 SCHOOL COMM SERV	\$43,187	\$55,285	\$51,979	\$45,595	\$52,925	\$7,330	16.1%	0.44%
TOTAL GEN. ADMIN	\$43,187	\$55,285	\$51,979	\$45,595	\$52,925	\$7,330	16.1%	0.39%

****CENTRAL ADMIN****

442 SUPERINTENDENT	\$232,953	\$260,442	\$201,672	\$201,037	\$198,112	(\$2,925)	-1.5%	1.64%
444 BUSINESS OFF	90,117	98,886	105,217	103,236	103,920	684	0.7%	0.86%
446 DATA PROC.	42,191	42,603	43,653	42,015	39,271	(2,744)	-6.5%	0.32%
TOTAL CENTRAL ADMIN	\$365,261	\$401,931	\$350,542	\$346,288	\$341,303	(\$4,985)	-1.4%	2.95%

****SCHOOL ADMIN****

451 SII ADMIN	\$271,595	\$287,254	\$301,073	\$329,818	\$305,456	(\$24,362)	-7.4%	2.52%
452 JII ADMIN	247,840	261,607	274,986	280,076	290,446	10,370	3.7%	2.40%
TOTAL SCHOOL ADMIN	\$519,435	\$548,861	\$576,059	\$609,894	\$595,902	(\$13,992)	-2.3%	5.19%

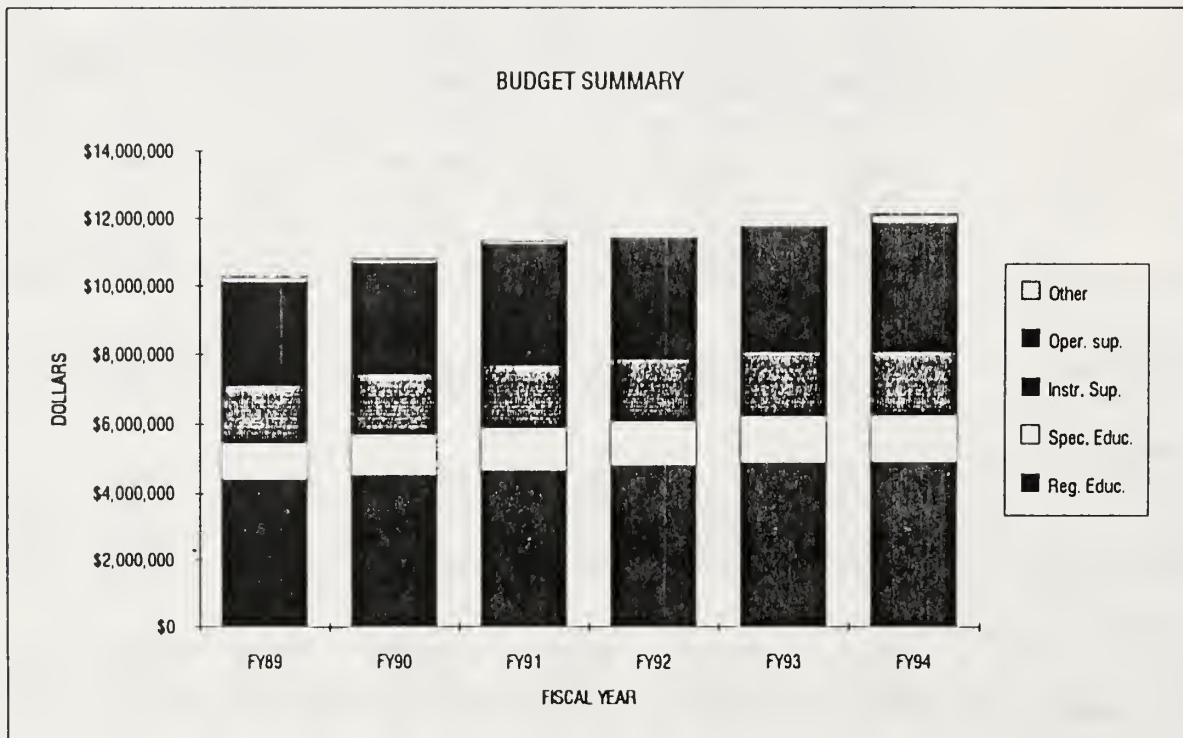
AMHERST-PELHAM REGIONAL

16-Apr-93

FISCAL 94 BUDGET REQUEST	FY90 ACTUAL	FY91 ACTUAL	FY92 ACTUAL	FY93 CURRENT	FY94 REQUESTED	DIFF	% DIFF	FY94 percent of budget
==TOTAL INSTR SUPP==	\$1,761,647	\$1,827,223	\$1,811,864	\$1,858,541	\$1,846,076	(\$12,465)	-0.7%	15.81%
==OPERATIONAL SUPP==								
MAINT & OPERAT								
510 MAINT ADMIN	\$53,477	\$52,807	\$57,519	\$51,920	\$56,713	\$4,793	9.2%	0.47%
520 CUSTODIAL SERV	291,653	305,575	316,170	339,557	350,969	11,412	3.4%	2.90%
522 MAINT SERV	323,384	314,253	344,176	369,344	366,135	(3,209)	-0.9%	3.02%
524 UTILITIES	326,741	320,259	367,862	378,060	390,382	12,322	3.3%	3.22%
TOTAL MAINT & OPER	\$995,255	\$992,894	\$1,085,727	\$1,138,881	\$1,164,199	\$25,318	2.2%	9.69%
TRANSPORTATION								
610 STUDENT TRANSP	\$979,564	\$1,079,534	\$1,046,013	\$1,096,653	\$1,135,902	\$39,249	3.6%	9.37%
*TOTAL TRANSPORTATION	\$979,564	\$1,079,534	\$1,046,013	\$1,096,653	\$1,135,902	\$39,249	3.6%	9.33%
OTHER OPERAT. SUPP								
710 INSURANCE	\$961,272	\$1,170,444	\$1,163,941	\$1,201,651	\$1,230,660	\$29,009	2.4%	10.16%
720 FOOD SERVICES	85,000	85,000	90,000	37,500	0	(37,500)	-100.0%	0.00%
740 COOP SERVICES	182,802	178,726	154,872	150,398	202,651	52,253	34.7%	1.67%
TOTAL OTHER OPER SUPP	\$1,229,074	\$1,434,170	\$1,408,813	\$1,389,549	\$1,433,311	\$43,762	3.1%	11.82%
==TOTAL OPERAT. SUPP==	\$3,203,893	\$3,506,598	\$3,540,553	\$3,625,083	\$3,733,412	\$108,329	3.0%	30.84%
==OTHER PROGRAMS==								
910 DEBT SERVICE	\$143,711	\$109,534	\$0	\$0	\$0	\$0	#DIV/0!	0.00%
921 CONTROL ACCTS	0	0	0	25,902	273,955	248,053	957.7%	2.26%
==TOTAL OTHER PROG.==	\$143,711	\$109,534	\$0	\$25,902	\$273,955	\$248,053	957.7%	0.22%
TOTAL BUDGET REQUEST	\$10,810,980	\$11,337,915	\$11,440,967	\$11,753,558	\$12,116,839	\$363,281	3.1%	100.00%

PERCENT CHANGE 5.22% 4.87% 0.91% 2.73% 3.09%

NOTE: FY93 CONTROL ACCTS PROJ. BALANCE \$25,902
 LESS: FY93 PROJ REVENUE DEFICIT (45,128)
 NET PROJ SURPLUS(DEFICIT) (\$19,226) 16-Apr-93



AMHERST-PELIHAM REGIONAL SCHOOLS

16-Apr-93

Chart of Accounts Categorical Breakdown:

CATEGORY:	FY90 ACTUAL	FY91 ACTUAL	FY92 ACTUAL	FY93 CURRENT	FY94 REQUESTED	CHANGE	PERCENT CHANGE	FY93 percent of budget
PERSONNEL	6,999,730	7,343,683	7,478,258	7,586,537	7,750,175	163,638	2.16%	63.96%
EMPLOYEE INSUR	925,518	1,107,862	1,107,516	1,178,023	1,187,413	9,390	0.80%	9.80%
UTILITIES	352,621	338,998	384,712	400,520	414,880	14,360	3.59%	3.42%
REPAIR & MAINT	172,682	166,261	166,801	198,100	170,597	(27,503)	-13.88%	1.41%
RENTAL/LEASES	26,132	23,524	24,928	15,228	5,635	(9,593)	-63.00%	0.05%
OTHER SERVICES	76,619	58,638	82,692	80,710	71,721	(8,989)	-11.14%	0.59%
PROF/TECH SERVICES	151,064	158,991	156,357	177,379	165,037	(12,342)	-6.96%	1.36%
TUITION	466,363	538,807	511,363	513,204	513,104	(100)	-0.02%	4.23%
TRANSPORTATION	783,925	845,193	848,832	884,818	886,665	1,847	0.21%	7.32%
MATERIALS & SUPPLI	94,726	85,888	85,182	95,896	97,226	1,330	1.39%	0.80%
EDUC SUPPLIES	236,947	213,319	205,426	224,325	227,424	3,099	1.38%	1.88%
OTHER:INSUR, ETC.	95,062	103,978	104,664	102,541	107,358	4,817	4.70%	0.89%
RESERVE ACCTS**	28,801	21,622	27,913	49,160	347,955	298,795	607.80%	2.87%
CAPITAL OUTLAY	129,888	94,014	113,698	167,602	132,378	(35,224)	-21.02%	1.09%
DEBT SERVICE	143,711	109,534	0	0	0	0	#DIV/0!	0.00%
OTHER	42,191	42,603	43,653	79,515	39,271	(40,244)	-50.61%	0.32%
	\$10,725,980	\$11,252,915	\$11,341,995	\$11,753,558	\$12,116,839	363,281	3.09%	100.00%
TRANS LUNCH REV**	85,000	85,000	90,000	37,500	0	(37,500)	-100.00%	0.00%
OTHER ADJ		0		0	0	0	#DIV/0!	0.00%
	\$10,810,980	\$11,337,915	\$11,431,995	\$11,791,058	\$12,116,839	325,781	2.76%	100.00%

Chart of Accounts Categorical Breakdown:

Percentage of Total

CATEGORY:	FY90 ACTUAL	FY91 ACTUAL	FY92 ACTUAL	FY93 CURRENT	FY94 REQUESTED
PERSONNEL	64.75%	64.77%	65.42%	64.34%	63.96%
EMPLOYEE INSUR	8.56%	9.77%	9.69%	9.99%	9.80%
UTILITIES	3.26%	2.99%	3.37%	3.40%	3.42%
REPAIR & MAINT	1.60%	1.47%	1.46%	1.68%	1.41%
RENTAL/LEASES	0.24%	0.21%	0.22%	0.13%	0.05%
OTHER SERVICES	0.71%	0.52%	0.72%	0.68%	0.59%
PROF/TECH SERVICES	1.40%	1.40%	1.37%	1.50%	1.36%
TUITION	4.31%	4.75%	4.47%	4.35%	4.23%
TRANSPORTATION	7.25%	7.45%	7.43%	7.50%	7.32%
MATERIALS & SUPPLI	0.88%	0.76%	0.75%	0.81%	0.80%
EDUC SUPPLIES	2.19%	1.88%	1.80%	1.90%	1.88%
OTHER:INSUR, ETC.	0.88%	0.92%	0.92%	0.87%	0.89%
RESERVE ACCTS**	0.27%	0.19%	0.24%	0.42%	2.87%
CAPITAL OUTLAY	1.20%	0.83%	0.99%	1.42%	1.09%
DEBT SERVICE	1.33%	0.97%	0.00%	0.00%	0.00%
OTHER	0.39%	0.38%	0.38%	0.67%	0.32%
	99.21%	99.25%	99.21%	99.68%	100.00%
TRANS LUNCH REV**	0.79%	0.75%	0.79%	0.32%	0.00%
OTHER ADJ	0.00%	0.00%	0.00%	0.00%	0.00%
	100.00%	100.00%	100.00%	100.00%	100.00%

Chart of Accounts Categorical Breakdown: (% Change From Prior FY)

CATEGORY:	FY90 ACTUAL	FY91 ACTUAL	FY92 ACTUAL	FY93 CURRENT	FY94 REQUESTED
PERSONNEL	4.99%	4.91%	1.83%	1.45%	2.16%
EMPLOYEE INSUR	8.67%	19.70%	-0.03%	6.37%	0.80%
UTILITIES	18.40%	-3.86%	13.49%	4.11%	3.59%
REPAIR & MAINT	13.28%	-3.72%	0.32%	18.76%	-13.88%
RENTAL/LEASES	379.31%	-9.98%	5.97%	-38.91%	-63.00%
OTHER SERVICES	-41.80%	-23.47%	41.02%	-2.40%	-11.14%
PROF/TECH SERVICES	-13.47%	5.25%	-1.66%	13.44%	-6.96%
TUITION	31.50%	15.53%	-5.09%	0.36%	-0.02%
TRANSPORTATION	6.69%	7.82%	0.43%	4.24%	0.21%
MATERIALS & SUPPLI	31.46%	-9.33%	-0.82%	12.58%	1.39%
EDUC SUPPLIES	-5.84%	-9.97%	-3.70%	9.20%	1.38%
OTHER:INSUR, ETC.	2.41%	9.38%	0.66%	-2.03%	4.70%
RESERVE ACCTS**	-11.95%	-24.93%	29.10%	76.12%	607.80%
CAPITAL OUTLAY	-19.20%	-27.62%	20.94%	47.41%	-21.02%
DEBT SERVICE	-16.21%	-23.78%	-100.00%	#DIV/0!	#DIV/0!
OTHER	12.72%	0.98%	2.46%	82.15%	-50.61%
SUB TOTAL	5.27%	4.91%	0.79%	3.63%	3.09%
TRANS LUNCH REV**	-0.58%	0.00%	5.88%	-58.33%	-100.00%
OTHER ADJ					
TOTAL %	5.22%	4.87%	0.83%	3.14%	2.76%

CHART OF ACCOUNTS CATEGORICAL BREAKDOWN:

PERSONNEL: Includes all union and non-union personnel costs; administration (central & building), instruction (teachers/para-professionals/subs), clerical & media, custodial-maintenance, crossing guards, drivers, coaches, extra-curricular, and other.

EMPLOYEE INSURANCE: Worker's Comp, Unemployment, Health & Life, Retirement, Medicare, LEAP & EAP.

UTILITIES: Heating, Electric, Water, Telephones, Gasoline, etc.

REPAIR & MAINTENANCE: Contracted services for Buildings & Grounds, Equipment, Vehicles, etc.

RENTALS & LEASES: Equipment, Films, Other Rentals.

OTHER SERVICES: Printing, Trash Removal, Snow Removal, Advertising, Fees, etc.

PROFESSIONAL/TECHNICAL SERVICES: Legal, Financial (audits), Collective Bargaining, Engineering/Architectural, Medical/Psychological consultations, etc.

TUITION: Payments for SPED Out-of-District placements, Vocational/Technical Schools, Hampshire Educational Collaborative, etc.

TRANSPORTATION: Regular Day, SPED, Vocational, Bilingual, Field Trips, Athletics, etc. (except salary for drivers---see personnel).

MATERIALS & SUPPLIES: Office, Building, Custodial, Maintenance, Grounds, Vehicle, Medical, etc.

EDUCATIONAL SUPPLIES: Texts, Instructional supplies, Library & Media materials, Professional books, Athletic supplies, etc.

OTHER: Staff Travel, Professional Dues, Insurance (Liability, property, vehicle, boiler, etc.).

RESERVE ACCOUNTS: (921 Accounts) - reserved for contract negotiations, staff increases & decreases, staff turnover, and current year budget funds to be unexpended to offset anticipated revenue shortfalls; (331 Accounts) - Staff Development Program; (125 Accounts) - SPED contingencies for new students and/or unanticipated needs/programs per student educational plans; (522 Accounts) - Building repair & maintenance contingencies.

CAPITAL OUTLAY: Improvement of Buildings, Grounds, New & Replacement of Equipment, to include Vehicles, etc.

DEBT SERVICE: Principal & Interest payments to retire debt.

OTHER: Data Processing Assessments, etc.

TRANSFER TO LUNCH REVOLVING: Appropriated funds are transferred to the Lunch Revolving Account to consolidate Expenditures, Revenues and Fund Balance.

AMHERST-PELHAM REGIONAL SCHOOL DISTRICT

16-Apr-93

ASSESSMENT SUMMARY:

	FY89	FY90	FY91	FY92	FY93	FY94
AMHERST	\$4,071,904	\$4,495,249	\$5,086,314	\$5,601,428	\$5,508,846	\$5,867,711
% CHANGE	7.16%	10.40%	13.15%	10.13%	-1.65%	6.51%
PELHAM	\$328,607	\$377,156	\$429,138	\$477,921	\$459,453	\$480,688
% CHANGE	8.81%	14.77%	13.78%	11.37%	-3.86%	4.62%
LEVERETT	\$381,072	\$427,739	\$492,341	\$554,704	\$546,820	\$579,762
% CHANGE	8.74%	12.25%	15.10%	12.67%	-1.42%	6.02%
SHUTESBURY	\$263,350	\$303,850	\$360,037	\$425,686	\$453,205	\$513,239
% CHANGE	9.36%	15.38%	18.49%	18.23%	6.46%	13.25%
TOTAL ASSESSMENTS	\$5,044,933	\$5,603,994	\$6,367,830	\$7,059,739	\$6,968,324	\$7,441,400
% CHANGE	7.50%	11.08%	13.63%	10.87%	-1.29%	6.79%

AMHERST-PELHAM REGIONAL SCHOOL DISTRICT REVENUE SUMMARY 16-Apr-93							CURR FY FY93 PROJ SURPLUS (DEFICIT)
	FY89 ACTUAL	FY90 ACTUAL	FY91 ACTUAL	FY92 ACTUAL	FY93 BUDGET	FY94 EST.	DIFF SURPLUS (DEFICIT)
STATE AID:							
FOUNDATION AID	\$0	\$0	\$0	\$0	\$53,212	\$0	(\$53,212)
REGIONAL CH70	2,324,468	2,324,468	2,231,489	2,231,489	2,231,489	2,231,489	0
REGIONAL CH71	1,787,769	1,787,769	1,716,258	1,690,473	1,690,473	1,690,473	0
VOC TRANSP CH74	9,157	10,781	11,226	8,522	0	0	0
SCH TRANSP CH71 s 7A/37D	87,347	103,926	109,016	127,197	157,681	166,058	8,377
REG TRANSP CH71 s 16C	521,603	481,407	437,443	442,524	386,837	396,420	9,583
OTHER TRANSP CH71A/71B	15,756	9,388	11,599	12,668	0	0	0
SBAB SCH CONSTR CH645	72,706	40,277	58,312	10,904	0	0	3,124
STATE WARD TUITION	62,717	82,195	95,229	0	0	0	0
RESID. SCH TUITIONS	---	---	---	---	---	---	0
TOTAL STATE AID	\$4,881,523	\$4,840,211	\$4,670,572	\$4,523,777	\$4,519,692	\$4,484,440	(\$35,252)
% CHANGE	5.38%	-0.85%	-3.50%	-3.14%	-3.23%	-0.78%	-0.71%
OTHER:							
MISC. REVENUE	\$9,278	\$38,638	\$33,732	1,551	0	0	\$0
DRIVER EDUC FEES	21,880	22,122	24,750	0	0	0	0
EARNINGS ON INVEST.	164,034	136,428	107,758	79,018	70,000	60,000	(10,000)
DISP. OF FIXED ASSETS	8,300	4,450	0	0	0	0	0
INDIRECT COST/GRANTS	7,153	13,149	12,638	2,500	30,000	31,000	1,000
TOTAL OTHER	\$210,645	\$214,787	\$178,878	\$83,069	\$100,000	\$91,000	(\$9,000)
% CHANGE	13.60%	1.97%	-16.72%	-53.56%	-44.10%	-9.00%	-13.00%
ASSESSMENTS:							
AMHERST	\$4,071,904	\$4,495,249	\$5,086,314	\$5,601,428	\$5,508,846	\$5,867,711	\$358,865
PELHAM	328,607	377,156	429,138	477,921	459,453	480,688	21,235
LEVERETT	381,072	427,739	492,341	554,704	546,820	579,762	32,942
SHUTESBURY	263,350	303,850	360,037	425,686	453,205	513,239	60,034
TOTAL ASSESS.	\$5,044,933	\$5,603,994	\$6,367,830	\$7,059,739	\$6,968,324	\$7,441,400	\$473,076
% CHANGE	7.50%	11.08%	13.63%	10.87%	9.43%	6.79%	0.00%
TOTAL REVENUE RECEIPTS:	\$10,137,101	\$10,658,992	\$11,217,280	\$11,666,585	\$11,588,016	\$12,016,840	(\$45,128)
% CHANGE	6.59%	5.15%	5.24%	4.01%	3.31%	3.70%	-0.39%
APPROP. FUND BALANCE:	\$250,532	\$205,000	\$160,000	\$100,000	\$165,543	\$100,000	(\$65,543)
TOTAL APPLIED REVENUE:	\$10,387,633	\$10,863,992	\$11,377,280	\$11,766,585	\$11,753,559	\$12,116,840	\$363,281
% CHANGE	6.67%	4.59%	4.72%	3.42%	3.31%	3.09%	

AMHERST-PELHAM REGIONAL SCHOOL DISTRICT PUPIL ENROLLMENT (FTE):

	FTE	CHANGE	% CHANGE		
*81	1817.0	—	—		
*82	1774.7	-42.3	-2.33%		
*83	1773.3	-1.4	-0.08%		
*84	1796.4	23.1	1.30%	CHANGE	% CHANGE
*85	1813.3	16.9	0.94%	FROM	FROM
*86	1757.6	-55.7	-3.07%	FY85	FY85
*87	1714.8	-42.8	-2.44%		
*88	1605.1	-109.7	-6.40%		
*89	1523.0	-82.1	-5.11%		
*90	1467.2	-55.8	-3.66%		
*91	1516.6	49.4	3.37%		
*92	1514.8	-1.8	-0.12%		
*FY93	1581.0	66.2	4.37%		
**FY94	1667.0	86.0	5.44%		

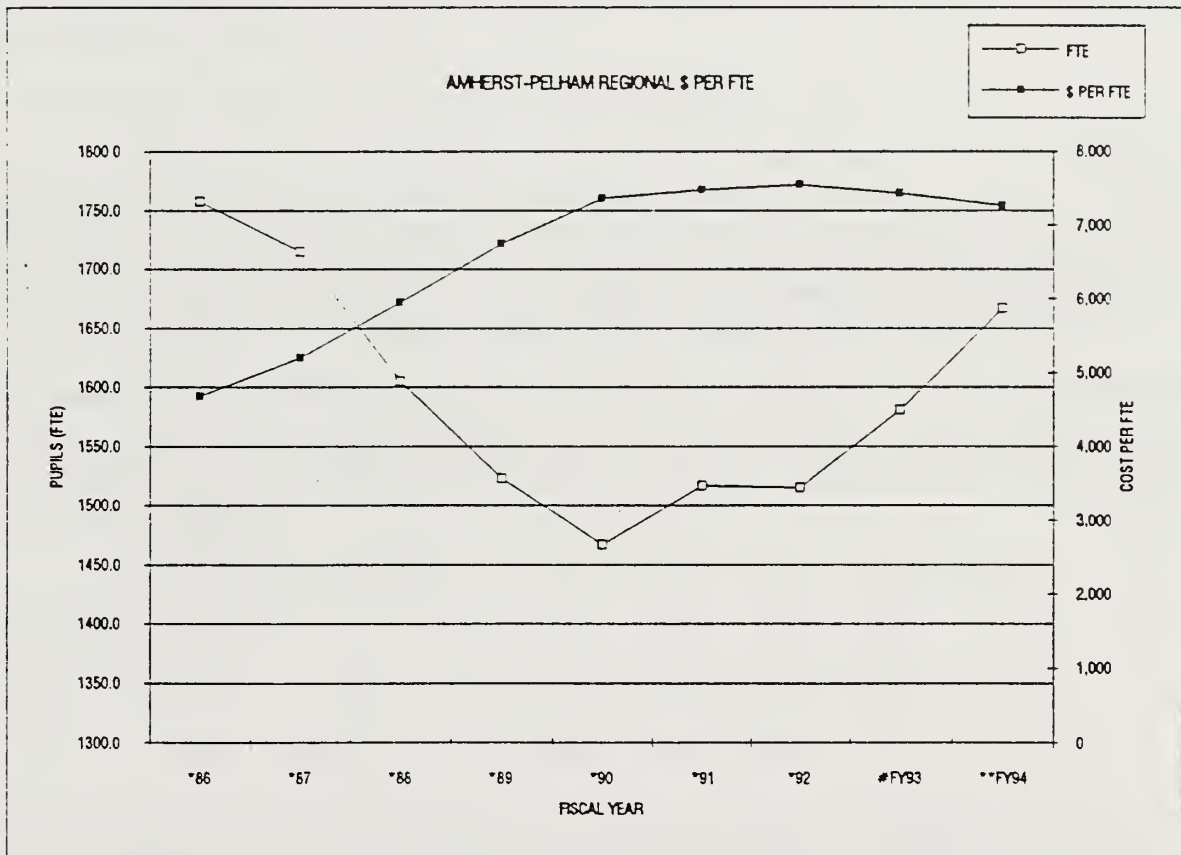
FY	FTE	EXPENSE	\$ PER FTE	% CHANGE
*86	1757.6	8,225,828	4,680	—
*87	1714.8	8,916,572	5,200	520 11.10%
*88	1605.1	9,547,784	5,948	749 14.40%
*89	1523.0	10,274,297	6,746	798 13.41%
*90	1467.2	10,810,980	7,368	622 9.23%
*91	1516.6	11,337,915	7,476	107 1.46%
*92	1514.8	11,440,967	7,553	77 1.03%
*FY93	1581.0	11,753,558	7,434	-119 -1.57%
**FY94	1667.0	12,116,839	7,269	-166 -2.23%

* = STATE REPORT (INHOUSE + TUITIONED OUT - TUITIONED IN)

= OCT (In House = 1546; Tuitioned Out VOC = 26; SPED = 9)

** = PROJECTED (In House = 1623; Tuitioned Out VOC = 35; SPED = 9)

NOTE: FTE INCLUDES TUITIONED OUT (VOC & SPED)



REPORT TO TOWN MEETINGS
AMHERST, PELHAM, LEVERETT, SHUTESBURY
SPRING 1993
REGIONAL SCHOOL BUILDING NEEDS COMMITTEE

The Regional School Building Needs Committee (RSDNC) has been reviewing enrollment projections and space needs for the regional Junior High and Senior High Schools since October, 1990. The committee has issued a number of interim reports which have been publicly discussed during this period. The purpose of the warrant article before you is twofold:

1. To inform town meetings of the regional towns of both the space issues at the regional level and the severity of the maintenance work needed at the High School, and
2. To seek support for taking the appropriate next steps to address these needs - the development of preliminary site documents to address space and maintenance issues.

Related Questions

To assist your consideration of this request, the RSBNC has set forth some related questions and answers regarding this warrant.

What is the present capacity of the Regional Schools?

When the Junior High was opened in 1969 it had a projected capacity of 1100 students. When the high school opened in 1956, and a subsequent addition added in 1964 it had a combined projected capacity of 1100 students. However, since the opening of these schools, new programs mandated by State and Federal legislation has limited the schools' ability to operate at their projected capacity. As a result, the reduced projected capacity of each school is 925 students at the Junior High and 820 students at the High School.

How many students are now in the regional schools and when will space become a problem?

There are presently 804 students in the Junior High and 742 students in the high school. Enrollment projections based on only students currently enrolled K-12 in the Regional School District are as follows:

	Present	FY94	FY95	FY96	FY97	FY98	FY99	FY2000
JH (Grades 7-9)	804	914	984	1012	1052	1053	1064	1077
SH (Grades 10-12)	738	739	772	827	909	981	1038	1079

Total (7-12)	1542	1623	1756	1839	1961	2034	2102	2156
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These projections indicate that space in the Junior High will become a problem in FY 95 and in the Senior High beginning in FY 97. If the combined capacity for both schools is considered (1720 student capacity Grades 7 - 12) than space will become a problem in FY 96 for both buildings.

What is the proposed solution for this problem?

After considering several alternatives, the Regional School Committee has voted to move the 9th grade into the Senior High School as soon as new space becomes available there. This plan addresses educational and space concerns as well as serious maintenance needs at the High School. Finally, this plan would require new space only at the High School.

How does this plan address the serious maintenance needs at the High School?

Consultation with the School Building Assistance Bureau of the Department of Education has assured us it is permissible to combine a school expansion/ renovation project into a plan which would include maintenance needs and still be eligible for SBAE reimbursement once approved. Present SBAB formulas would provide about 66% reimbursement for both principal and interest.

What are some of the major maintenance needs at the High School?

There is a critical need to upgrade the heating/ventilation systems, replace the underground fuel storage tanks, upgrade the electrical systems, expand the cafeteria, and make some roof repairs. For instructional purposes it is essential to renovate science labs, provide appropriate computer facilities, expand the library, add classrooms, expand gymnasium facilities and equalize the training facilities for boys and girls athletics.

What happens to the space at the Junior High School?

It is not likely the 9th grade will move to the high school before FY97 or FY98. Student enrollment projections for only grades 7 and 8 at the Jr. High anticipate 734 students by FY2000.

Where will the money for preliminary plans be found?

The amount of funds needed at this stage is \$75 - 100,000. These funds would come from the "Excess and Deficiency Fund" held by the Regional School Committee and would, therefore, require no new tax money in FY 94.

Do Town Meetings have input in approving future stages of this project?

Yes. All four town meetings would have the opportunity to approve funds for the development of formal construction documents and, subsequently, the bonding for construction. The SBAB will not give its final approval without this latter vote. Town meetings, therefore, usually vote their approval contingent upon SBAB approval and an agreed upon rate of reimbursement.

Who would be responsible for overseeing the development of final plans and construction documents?

The Regional School Committee has the responsibility for formally appointing a Regional School Building Committee with representation from all four towns to oversee this project.

When will town meetings be asked to make these next two decisions for funding?

The earliest that town meetings would be asked to consider funding formal construction documents would be in the fall of 1993, and bonding approval in the spring of 1994--assuming it was decided to meet the SBAB once a year submission deadline of June 1, 1994. Otherwise, it would be the spring town meetings in 1994 for funding formal construction documents, and either fall/1994 or spring/1995 town meetings for bonding approval.

Does the Regional School Committee need the approval of the four town meetings to take this next step for preliminary plans?

No. The Regional agreement gives the authority to use "excess and deficiency funds" to the Regional School Committee following consultation with the finance committees of the four member towns. However, this is a significant step for the Regional School Committee to take--both financially and in its planning--and it wishes to use this opportunity to inform all town meetings of the seriousness of the needs, to present the current status of the plans, and to seek your support in moving forward at this time.

Thank you for your consideration of this important matter.

REGIONAL SCHOOL BUILDING NEEDS COMMITTEE

Joan Hanson, Co-Chair	Regional School Committee
Ronald Bell, Co-Chair	Assistant Superintendent
Mark Barlow	Shutesbury Representative
Larry Briggs	Junior High Faculty
John Burruto	Principal, ARJH
Deborah Carey	Junior High Faculty
Jack Heffley	Secondary Education Director/ Principal, APHS
Becky McNiven	Junior High Parent Council
Peter Murphy	Amherst School Building Needs Committee Liaison
Judith Ortiz	High School Parent Council
Myra Ross	Regional School Committee
Peter Shea	Amherst Representative
Theodore Slate	Pelham Representative
Judy Weinthal	Leverett Representative

PROPOSAL TO ESTABLISH A
TRASH TRANSFER STATION
IN LEVERETT

Prepared by the Landfill Alternatives Committee

After considering several alternatives, including curbside pickup, this committee is recommending that the Town establish a trash transfer station next to our present landfill. The transfer station needs to be ready to receive trash on October 1, 1993, five months from now.

Reasons for recommending the transfer station over other alternatives include:

1. Lower total cost of trash disposal
2. The best arrangement for maximizing the amount of recycling at minimum cost
3. Provides a site for periodically receiving special waste such as old tires, white goods (old appliances) and hazardous waste
4. Provides for greater involvement and control by the town of our waste disposal process and its costs
5. Avoids unsightly curbside trash containers, sometimes with trash scattered by animals

An overwhelming majority of those responding to our newsletter questionnaire in February preferred the transfer station.

Operation of the Transfer Station

Individual households will bring their trash to the transfer station in much the same way they now bring it to the landfill. At the transfer station, the trash will be deposited in a large roll-off container attached to a compactor to maximize the amount of trash we can get into the container.

After it is full, the container will be hauled away to a public or private landfill. The exact location of this landfill will depend on who wins the contract to haul and receive our trash and on the progress of the Eastern Hampshire Regional Refuse District toward providing landfill space for Leverett.

Recycling will continue at the transfer station with little change from its present operation.

Periodic and pre-announced opportunity to dispose of non-compactable refuse such as furniture and other large items, tires, white goods, and hazardous waste will be available at the transfer station.

Households wishing to contract privately with a trash hauler will be free to do so as at present. Their recycling will need to be done at the transfer station unless they make other arrangements with their hauler.

(Over)

Paying the Cost of Solid Waste Disposal

The committee is recommending that we change to a primarily volume based fee structure as follows:

1. Every household using the transfer station and/or the recycling facilities will be asked to buy an identification sticker for \$20.00. This will cover recycling and general administrative costs.
2. Each household will buy coupons and give up one coupon for each 30 gallon plastic bag of trash or equivalent (four cubic feet). Each coupon will cost \$1.50. Coupons will be divisible in half and perhaps in quarters to accomodate those with smaller volumes. The method of selling the coupons has not yet been finalized.
3. Coupons will also be used for disposal of non-compactables such as furniture
4. Extra charges will be paid to dispose of tires and white goods, as is currently the practice.

The Budgets (details in the Town Budget presented to Town Meeting)

1. We estimate that it will cost \$38,000 to establish the transfer station, including design, equipment purchase and installation and all state approvals. Site approval has already been received from the State and from the Leverett Board of Health.
2. FY 94 Budget (3 months landfill , 9 months transfer station)
 - a. Estimated total operation income \$53,100
 - b. Estimated total operation costs \$54,853

The operation costs in this budget divided by 680 households in town comes to \$80.66 per household.

3. Using the same budget figures to calculate the income and costs of operating the transfer station for a full year (for example, FY 95)
 - a. Estimated total operating income \$67,450
 - b. Estimated total operating costs \$53,900
 - c. Estimated yearly debt service on the \$38,000 cost of establishing the transfer station (4% interest over four years) \$11,020

The excess of income over costs in this full year budget could be used to help pay off the transfer station construction bonds and the cost of closing the old landfill, including the State-mandated 30 years of monitoring it.

LEVERETT

REGIONAL SCHOOL DISTRICT PLANNING COMMITTEE

The Regional School District Planning Committee began meeting on August 19, 1992. It reviewed the rules and regulations concerning regionalization as well as the educational issues implied.

Beginning on October 27, 1992, the Committee began meeting regularly with the Shutesbury Regional School District Planning Committee; and beginning on January 11, 1993, members of the Committee began meeting with the Amherst-Pelham Regional School District Planning Board.

The major accomplishments of the Committee to date were as follows:

- Hosting a symposium for people from all of the communities touched by school districts of which Leverett is a member, to consider the issue of regionalization. The principal speaker was David Monk from Cornell University. Other speakers were from the University of Massachusetts and the National Elementary School Principals' Association.
- Forming a clear conception, which was conveyed to the Amherst-Pelham Regional School District Planning Board, that should a K-12 region be formed, that it be formed in a way which ensured that service in the Leverett Elementary School be comparable to the services in Amherst and in a way that would not jeopardize the continuation of those services.
- Beginning to form a much better understanding of the financial implications of regionalization. A complex report, which will be updated at the Union #28 meeting of June 24, was reviewed at a March 30 meeting of the Union #28 School Committee and the Regional School District Study Committees of the towns with Union #28.
- The Committee has developed an understanding that, should education reform not provide the additional state funds necessary to continue operating schools successfully, the financial incentives the state provides for K-12 regionalization will make a decision for regionalization compelling.

We hope to have a more complete report for next year's Town Meeting. In order to help us with our work, we would welcome your submitting comments for us to consider or questions for us to address. There is a box at the front of the hall for regionalization questions or comments.

-----Question/Comment-----
Regionalization Study Committee

CAPITAL PLANNING COMMITTEE REPORT

The Capital Planning Committee reviews requests for capital expenditures (those costing more than \$5,000 and having a useful life of more than 5 years) made by Town departments and makes recommendations based on the Town's financial condition and the nature of the requested item. The major purpose of the committee is to stabilize the effect of capital item purchases on the tax rate.

This year the committee worked to develop a plan for the regular replacement of the equipment used by the Fire, Police and Highway departments. Previously the equipment has been replaced when it had deteriorated so badly that it was unreliable and expensive to continue to maintain. When replacement equipment was purchased, the money was borrowed, resulting in substantial additional costs in interest. (The total interest for the fire truck was \$7800 and for the dump truck was \$9135). As shown in the following table, it will cost about \$30,000 per year (in 1993 dollars) to fully fund this replacement schedule, by putting that amount into the stabilization fund each year. The amount must be adjusted from time to time for inflation.

Schedule of capital equipment to be replaced after a given life, showing the item, its estimated life, the year to be replaced and its cost when it was previously purchased. The year noted is the year of the town meeting at which the item would be voted.

item	repl year	cost	life	annual cost
Cruiser 1	1996	17,000	6	2833.33
Dump body 1	1997	19,000	12	1583.33
Dump truck 1	1997	42,000	12	3500.00
Fire Engine A	1997	140,000	30	4666.67
Cruiser 2	1998	17,000	6	2833.33
Pickup	1999	17,000	10	1700.00
Dump body 2	2003	19,000	12	1583.33
Dump truck 2	2003	42,000	12	3500.00
Grader	2005	50,000	30	1666.67
Loader	2007	55,000	20	2750.00
Fire Engine B	2018	140,000	30	4666.67
Total Annual Cost				31283.33

The Elementary school requires work to provide for full handicapped accessibility. Originally it was hoped that this could be in the form of a single three stop elevator. After work by the architect, it was determined that it will require both a two stop elevator and a chair lift, totalling about \$175,000. Additionally, there are changes required to the toilets on both the first and second floors of the original building. Bids are supposed to have been received in time for Town Meeting so that exact costs can be known. Capital Planning voted unanimously to support this work, to the extent that the Town is required by State and Federal law to provide this accessibility.

At the end of Sep. 1993 we will have to cease using the current landfill. The landfill alternatives committee has worked out cost estimates for a transfer station. This will cost about \$37,000 to set up.

The Fire Department had requested about \$65,000 for a minipumper to replace the brush truck and the oldest fire engine. Bids were received all considerably above this amount, and so were rejected. The Fire Department has not yet come back with a revised proposal and so Capital Planning has taken no position on this request.

The Library proposed spending \$7,000 on a computer and software for library circulation, of which \$2,000 was requested from Town appropriation. Capital Planning voted not to support this request.

TAX IMPACT

Assumes valuation of 106,719,389

Fy 93 Tax Rate = 15.46

	Tax Rate	Tax on 150,000
Levy Limit (1,702,107)	15.95	2,393.00
Operating Budget Override (48,426)	0.45	68.00
School Supplemental Override (46,390)	0.43	65.00
Total Other Articles (72,100)	0.68	102.00
TAX RATE	17.51	2,627.00

Breakdown by Articles

6. Reserve Account (20,000)	0.19	28.50
7. Stabilization (30,000)	0.28	42.00
8. Highway Garage (9,000)	0.08	12.00
9. Truck Engine (5,000)	0.05	7.50
10. Paint Town Hall (2,100)	0.02	3.00
11. Library Ramp (2,500)	0.02	3.00
12. Library Computer (2,000)	0.02	3.00
13. Conservation Land (1,500)	0.01	1.50

Free Cash	130,626
Stabilization	170,867

LEVERETT SPECIAL TOWN MEETING WARRANT

October 26, 1992

Franklin, SS.

To one of the Constables of Leverett

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, that a Special Town Meeting shall be held at the Elementary School Auditorium at said Leverett on Monday, the twenty-sixth day of October, 1992 at 7:30 p.m. in the evening then and there to act on the following articles, namely:

Article One: To see if the Town will vote to transfer \$5,200 from Account #945 (Liability Insurance) to Account #914 Health Insurance.

Article Two: To see if the Town will vote to borrow or expend from free cash or stabilization \$8,000 to conclude a bid process for remaining handicapped accessibility work at the Leverett Elementary School.

Article Three: To see if the Town will vote to transfer \$4,700 from Account #193 (Building Insurance) to Account #300 (Elementary School).

Article Four: To see if the Town will vote an amount not to exceed \$9,000 from Free cash to Account #300 (Elementary School).

Article Five: To see if the town will vote to borrow or expend from free cash or stabilization \$5000 to replace the roof on the Bradford M. Field Memorial Library.

And you are directed to serve this warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, fourteen days at least before the day of said meeting.

Hereof, fail not and make return of this Warrant with your doings thereon at time and place of said meeting.

Given under our hands this seventh day of October A.D., 1992

SELECT BOARD OF LEVERETT

A true copy attest:

Dann Sauer Kelly
Town Clerk

Fenna Lee Bonsignore

Donald L. Gibayic

Alice J. Rarig

I have served this Warrant as directed therein.

E. Thayer V. Hammond Jr Date 10/10/92

MINUTES
LEVERETT SPECIAL TOWN MEETING
OCTOBER 26, 1992

The meeting was called to order by Moderator Ed Gere at 7:30pm at the Leverett Elementary School. There was a motion to dispense with the reading of the warrant; seconded and passed.

Article One: To see if the Town will vote to transfer \$5,200 from Account #945 (Liability Insurance) to Account #914 Health Insurance.

Fenna Lee Bonsignore: I move the town vote to transfer \$5,200 from Account #945 (Liability Insurance) to Account #914 Health Insurance.

Don Gibavic: second. Finance Committee recommended.
Motion carried.

Article Two: To see if the Town will vote to borrow or expend from free cash or stabilization \$8,000 to conclude a bid process for remaining handicapped accessibility work at the Leverett Elementary School.

Don Gibavic: I move that the town vote to expend from free cash \$8,000 to conclude a bid process for remaining handicapped accessibility work at the Leverett Elementary School.

Judi Fonsh: second. Finance Committee recommended. School Committee supported. Capital Planning Committee supported.
Motion carried unanimously.

Article Three: To see if the Town will vote to transfer \$4,700 from Account #193 (Building Insurance) to Account #300 (Elementary School).

Alice Rarig: I move that the town vote to transfer \$4,700 from Account #193 (Building Insurance) to Account #300 (Elementary School).

Judi Fonsh: second. Finance Committee recommended.
Motion carried.

Article Four: To see if the Town will vote an amount not to exceed \$9,000 from Free cash to Account #300 (Elementary School).

Alice Rarig: I move that the town vote \$4,000 from free cash to Account 300 (Elementary School).

Dick Howland: second. Finance Committee recommended only \$2,500.

Judi Fonsh: I would like to move to amend the motion to \$9,000; Karen Rubin: second.

Motion to amend to \$9,000 carried by a vote of 32-30.

Main motion as amended: to transfer \$9,000 from free cash to Account 300.

Main motion carried, 36-26.

THE HISTORY OF THE UNITED STATES

The history of the United States is a story of growth and change. From the first settlers to the present day, the nation has evolved through various stages of development. The early years were marked by exploration and settlement, followed by a period of rapid expansion and industrialization. The American Revolution and the Civil War were pivotal moments in the nation's history, shaping its identity and values. The 20th century brought significant social and political changes, including the rise of the New Deal and the Civil Rights Movement. Today, the United States continues to face new challenges and opportunities, reflecting its ongoing journey as a nation.

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MINUTES
LEVERETT SPECIAL TOWN MEETING
OCTOBER 26, 1992
page 2

Article Five: To see if the town will vote to borrow or expend from free cash or stabilization \$5000 to replace the roof on the Bradford M. Field Memorial Library.

Don Gibavic: I move the town vote to expend from stabilization \$5,000 to replace the roof on the Bradford M. Field Memorial Library.

Peter May: second. Finance Committee recommended with qualifications. Capital Planning Committee said they would support the expenditure from free cash, but not from stabilization.

Doris Gere: I move to amend the motion to take the \$5000 from free cash, not stabilization.

Motion carried.

Main Motion as amended: to take \$5000 from free cash to replace the roof on the Bradford M. Field Memorial library.

Main motion carried unanimously.

At 8:41pm, Gary Gruber made a motion to adjourn the meeting; motion seconded, carried unanimously.

Minutes recorded by D'Ann Sauer Kelty, Town Clerk.

PHASE I

		design	construction
1	LOWER LEVEL ENTRY & PAVING	\$500	} \$10,500
2	U LEVEL MAIN (S.) ENTRY	\$500	
3	VERT.ACCESS (LIFT/ELEV.)	\$2,700	
	BUDGET	\$3,700	\$10,500
	paid to date	\$1,109	\$8,431
	plus committed	\$2,591	\$2,069
		design	construction
		\$3,700	\$10,500

Committed to date \$14,200
 Appropriation \$15,500
 Uncommitted to date \$1,300

PHASE II
 FIRST ESTIMATES

3	VERT.ACCESS (LIFT/ELEV.)	\$11,000	\$150,000
4	U LEVEL LEFT (N.) ENTRY	\$500	\$5,000
5	CORRIDOR	\$1,000	\$13,000
6	MAIN TOILETS (HR.RATE)	\$1,000	\$10,000
		design	construction
		\$13,500	\$178,000

Possible first estimate \$191,500

To achieve a Bid Process for Phase II prior
 to a late fall Special Town Meeting,
 80% (= \$8,800) of the \$11,000 elevator design costs are needed now.
 We have \$1,300 available from Phase I.
 We will need \$8,800 - \$1,300 = \$7,500.
 We need to allow \$500 for clerical and printing, so that \$8,000 becomes
 the sum needed now.
 The Phase II estimates would reduce by the same amount.

ERVING SCHOOL UNION #28

ERVING, LEVERETT, NEW SALEM, WENDELL, SHUTESBURY

LEONARD J. LUBINSKY

SUPERINTENDENT OF SCHOOLS

J. MARTIN LEGGOTT

ASSISTANT TO THE SUPERINTENDENT

18 PLEASANT STREET

ERVING, MA

MILLERS FALLS POSTAL ZONE 01349

(413) 659-3337

FAX (413) 659-0236

MEMORANDUM

TO: Leverett Selectboard
FROM: Superintendent Leonard Lubinsky
DATE: September 25, 1992

I am writing in response to the letter from D'Ann Kelly of September 23rd.

I regret that I was unable to be with you on September 14th because of a death in my family. I understand that there was a fair amount of confusion about the School Committee's request.

I further regret that I cannot be at the meeting on September 28th. That is the conclusion of Rosh Hashana and I cannot be there.

Nor can I give you a completely revised budget. However, I will attempt to give you an explanation that is relatively clear and simple.

Personnel Spending and Early Childhood SPED Tuition

The Committee hired new staff at salaries different from those budgeted, replaced the anticipated new part-time Kindergarten teacher with an aide, and shifted other aide responsibilities. Two tables are included here to chart these changes.

The net effect of these changes is to save, within the budget, \$6904.

Table 1.

Assignment of Teacher Aides Leverett Elementary School 1992-1993 School Year

	<u>Original</u>	<u>Current</u>
Preschool	Marcum .9	Schmid .9
Kindergarten	Shinner .5	Marcum 1.0
1st/2nd Grade	Shinner .5	Graziadei 1.0
1st/2nd Grade	Riddle 1.0	Riddle 1.0
Primary SPED Aide	----- .0	Shinner 1.0
3rd through 6th	Field 1.0	Field .5
Library Aide	Patterson .5	Field .5
	4.4 FTE	5.9 FTE

Note: 1.0 Full Time Equivalent for aides means 35 hours/week in 1992-1993 school year.

ELEMENTARY
SCHOOL

BUDGET EXPENDITURES		1	2	3	4	5	6
		ORIGINAL APRIL 25 BUDGET	REVISED \$	CHANGE \$			
LO2 LVE	/2201-000-20						
	Judy Linstra	14,212	15,323	1,111			
LO2 LVE	/2301-000-10						
	New Teacher	23,914	19,566	(4,348)	Genie Casey		
	New k. Teacher, 60%	14,348	0	(14,348)	—		
	Carol Carson-Lein	12,229	11,740	(489)	Joan Patterson, 3 rd /4 th grade		
	New Teacher	23,914	25,654	1,740	Ellen Gow		
	Lillian Edmond	29,567	29,774	207	calculation error		
	Jane Bodin	33,032	32,087	(945)	calculation error		
	George Baker	5,566	5,761	195	calculation error		
	New Teacher (music)	7,652	6,445	(1,207)	Tom Cleary 4,000		
					Deb Campbell 2,445		
				(18,475)	DECREASE (NET) THIS LINE ITEM		
LO2 LVE	/2301-000-30						
	Carol Marum	11,247	12,113	866	0.9 to 1.0 F.T.E.		
	<not in original budg.>	0	8,377	8,377	Georgie Schmid, ECAide		
	<not in original budg.>	0	11,074	11,074	Beth Graziadei, 1/2 Aide		
				20,317	INCREASE (NET) THIS LINE ITEM		
LO2 LVE	/2501-000-30						
	Joan Patterson	6,921	0	(6,921)	—		
LO2 LVE	/9102-000-90						
	Early Ch. SpEd. Tuition	4,900	1,964	(2,936)	Less funds required		
				23,570	ADDITIONAL COSTS - INCREASES		
				30,474	REDUCTIONS - DECREASES		
				6,904	SAVING		

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Grants

Including the unanticipated \$100 per pupil grant, but partly offset by unanticipated reductions in other grants, the School Committee has grant \$20,348 unanticipated revenue available to it. See table 3 below.

Unanticipated grant revenue: \$20,348.

LSC FY93 for Selectboard, Sept 28, 1992

TABLE 3.

GRANTS SUMMARY					
(ELEM. SCHOOL) RECEIPTS					
	Anticipated	Actual	Change		
Early Childhood	38,494	38,494	0	Level Funded	
E.Ch. SpEd. Alloc.	2,500	1,193	(1,307)	Notified after April 25	
Federal SpEd (Title VI)	11,307	11,307	0	Notified prior to April 25	
Chapter I	2,336	2,891	555	Notified after April 25	
\$100 Per Pupil Aid	0	21,100	21,100	Notified after April 25	
	54,637	74,985	20,348	NET INCREASE IN GRANT REVENUE	

I understand that some people have expressed concern about spending funds from the \$100 per pupil grant for purposes that might have been covered in the budget because that may have been prohibited or in a way that reflects an assumption that this money will continue to be available. With regard to the first concern, I enclose a copy of my notes from a conversation with a Department of Education financial official, Ron Honesty. With regard to the second concern, Senator Rosenberg, at the most recent meeting of the Connecticut Valley Superintendents, advised that the money should be treated as a new, increased level of local school aide.

Budgeted Salary Increases

Including the \$5000 extra added to the School Committee's budget from the Town's FY 93 budget, passed at the April Town Meeting, the School Committee has budgeted \$5853 for salary increases.

Budgeted Salary Increases; \$5853

ERVING SCHOOL UNION #28

ERVING, LEVERETT, NEW SALEM, WENDELL, SHUTESBURY

LEONARD J. LUBINSKY
SUPERINTENDENT OF SCHOOLS

J. MARTIN LEGGOTT
ASSISTANT TO THE SUPERINTENDENT

18 PLEASANT STREET
ERVING, MA
MILLERS FALLS POSTAL ZONE 01349
(413) 659-3337
FAX (413) 659-0236

MEMORANDUM

MEMO TO MYSELF

DATE: AUGUST 3, 1992

SUBJECT: \$100 PER PUPIL GRANTS

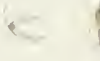
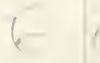
At approximately 2:20 pm, I had a conversation with Ron Honesty about the grants to each school system based on \$100 per pupil.

I asked him about the issue of supplanting. In particular, I asked him about two issues. One issue is like that of Shutesbury where we are faced with restoring services lost as a consequence of a level funded budget. Does restoring those services, I asked, supplant funding from FY 92? He indicated that the Department of Education would be looking at total funding, not the specific spendings of last year.

The second issue was that of salary increases. I indicated that school committees are in the process of conducting collective bargaining and that the MTA would have an interest in these funds being available for salary increases. He indicated that it is impossible to budget for salary increases with this money; but that, in the same fashion as was described above, if specific positions or services or programs were budgeted for with this money and it left resources available for salary increases; the Department of Education would be examining total spent in FY 92 against the total spent in FY 93.

Leonard J. Lubinsky
Superintendent of Schools

LJL/amf
cc: School Committees



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Unanticipated Costs Other Than Special Education

Additional Nursing Services for one of our students:	\$ 1,000.
Additional Furniture and Material for third 3rd/4th Grade Classroom:	3,000.
Increased Electric Costs , primarily because of the Modulers:	<u>8,000.</u>
	\$12,000.

Unanticipated Costs not budgeted: **\$12,000.**

Unanticipated Special Education Costs

See enclosed memorandum.

Unanticipated Special Education Costs: **\$20,711 .**

Available Funds

LSC FY 93

for Selectboard Sept 28, 1992

	1	2	3	4	5	6	
AVAILABLE FUNDS							
\$							
SAVINGS/ INCREASES							
Personnel	6904						
Grants	20348						
Bud. Increase	5853						
	<u>33105</u>						
COSTS							
	(12000)						
AVAILABLE FUNDS	<u>21105</u>						

ERVING SCHOOL UNION #28

ERVING, LEVERETT, NEW SALEM, WENDELL, SHUTESBURY

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J. MARTIN LEGGOTT

ASSISTANT TO THE SUPERINTENDENT

18 PLEASANT STREET

ERVING, MA

MILLERS FALLS POSTAL ZONE 01340

(413) 659-3337

FAX (413) 659-0236

MEMORANDUM

TO: Leverett Selectboard
FROM: Superintendent of Schools
DATE: July 30, 1992
SUBJECT: UNANTICIPATED SPECIAL EDUCATION COSTS

At the meeting of July 7, the School Committee voted to seek funds from the Town for unanticipated special education costs. These funds total ~~\$22,761~~ ^{28,261} and include the following:

\$20,711

Out of District Tuition \$12,911

This is the cost of tuition to the Curtis Blake Center School on the campus of American International College; for a day placement of a student required as a consequence of information received from an independent evaluation of a special needs child completed in the spring.

Transportation

\$11,700

~~72,250.00~~

6,300

This is a relatively low figure based on sharing transportation costs with Pelham for a child they are sending to the same school.

Transportation - Vehicle Modification \$1,500

This is for the first year of three years of annual cost to modify a regular school bus to accept a child who would otherwise have to be transported in an adapted van at a much higher cost.

ERVING SCHOOL UNION #28

ERVING, LEVERETT, NEW SALEM, WENDELL, SHUTESBURY

LEONARD J. LUBINSKY

SUPERINTENDENT OF SCHOOLS

J. MARTIN LEGGOTT

ASSISTANT TO THE SUPERINTENDENT

18 PLEASANT STREET

ERVING, MA

MILLERS FALLS POSTAL ZONE 01349

(413) 659-3337

FAX (413) 659-0236

MEMORANDUM

TO: Leverett Selectboard
FROM: Superintendent of Schools
DATE: August 6, 1992
SUBJECT: SPECIAL EDUCATION COSTS

I am pleased to report that the cost for out-of-district special education transportation referred to in the July 30 memorandum has been reduced to \$7,200 - allowing a reduction in the School Committee's total request to \$28,261.

Leonard J. Lubinsky
Superintendent of Schools

LJL/amf

ERVING SCHOOL UNION #28

ERVING, LEVERETT, NEW SALEM, WENDELL, SHUTESBURY

LEONARD J. LUBINSKY

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J. MARTIN LEGGOTT

ASSISTANT TO THE SUPERINTENDENT

18 PLEASANT STREET

ERVING, MA

MILLERS FALLS POSTAL ZONE 01349

(413) 659-3337

FAX (413) 659-0236

MEMORANDUM

TO: Leverett Selectboard
FROM: Superintendent of Schools
DATE: July 30, 1992
SUBJECT: UNANTICIPATED SPECIAL EDUCATION COSTS

At the meeting of July 7, the School Committee voted to seek funds from the Town for unanticipated special education costs. These funds total \$32,761 and include the following:

Out of District Tuition \$12,911

This is the cost of tuition to the Curtis Blake Center School on the campus of American International College; for a day placement of a student required as a consequence of information received from an independent evaluation of a special needs child completed in the spring.

Transportation \$11,700

This is a relatively low figure based on sharing transportation costs with Pelham for a child they are sending to the same school.

Transportation - Vehicle Modification \$1,500

This is for the first year of three years of annual cost to modify a regular school bus to accept a child who would otherwise have to be transported in an adapted van at a much higher cost.

Special Education Aide \$6,650

This part-time teacher aide is necessary for a child whose behavior this spring has made clear the need for support.

Leonard J. Lubinsky
Superintendent of Schools

LJL/amf

LEVERETT SCHOOL COMMITTEE

TUESDAY, AUGUST 4, 1992
7:15 p.m.

LEVERETT ELEMENTARY SCHOOL

AGENDA

ITEM

ACTION

A. 7:15 p.m. to 7:30 p.m. - Warrants

B. Call Meeting to Order

C. Hearings

D. Approval of Minutes from July 7

E. Superintendent's Report:

1. Home Education
2. Building Projects

F. Principal's Report:

G. Old Business:

1. SPED Arrangements
2. Resignation
3. FY 93 Budget

H. New Business:

I. Regional Representative

J. Future Business:

1. Next Meeting Date: September 1

K. Adjournment

ERVING SCHOOL UNION #28

ERVING, LEVERETT, NEW SALEM, WENDELL, SHUTESBURY

LEONARD J. LUBINSKY

SUPERINTENDENT OF SCHOOLS

J. MARTIN LEGGOTT

ASSISTANT TO THE SUPERINTENDENT

18 PLEASANT STREET

ERVING, MA

MILLERS FALLS POSTAL ZONE 01349

(413) 659-3337

FAX (413) 659-0236

MEMORANDUM

TO: Leverett School Committee
FROM: Superintendent of Schools
DATE: July 30, 1992
SUBJECT: AGENDA BACK-UP MEMO TO MEETING OF AUGUST 4

G. Old Business

1. SPED Arrangements

I have enclosed a copy of a letter sent to the Selectboard about the funds the Committee is seeking to provide unanticipated special education services in FY 93.

2. Resignation

Carol Carson-Leinhart has told Ted that she did not intend to return next year to Leverett. I believe, in making that indication, she was resigning. I expect to know that with certainty by the time of the meeting. If she was not resigning, ^{we} would probably be unable to grant her a leave without pay.

3. FY 93 Budget

We can expect some additional funds as a result of the Commonwealth's FY 93 budget. We will have thoughts and comments about these funds in time for the meeting as well as any thoughts about the kindergarten teaching position.

Leonard J. Lubinsky
Superintendent of Schools

LJL/amf

Leverett School Committee

Minutes of the July 7, 1992 Meeting

Present: Judi Fonsh, Chair; Sunny Caldwell, Karen Rubin, Jenny Roberts, Charlie Paulin, Committee Members; Leonard Lubinsky, Superintendent; Martin Leggott, Asst to the Supt; Ted Hallstrom, Principal

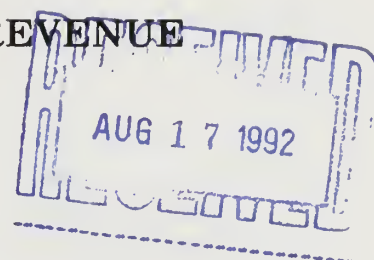
1. The meeting convened in public session at 11:00 pm.
2. The Committee voted to approve the minutes of June 2.
3. The Superintendent reported that if the House and Senate proposals were approved and the Governor signed the budget in that form, the Leverett School Committee would receive approximately an additional \$20,000 for FY 93.
4. The Principal reported on prospective enrollment.
5. The Committee voted unanimously to authorize the Superintendent or his designee to seek additional funds from the Town should those additional funds be necessary for special education purposes.
6. The Committee voted to table the library policy proposal.
7. The Committee voted unanimously to appoint Ellen Gow at step 7 of the salary schedule.
8. The Committee voted unanimously to rank the architects for the handicapped access project as follows:
 1. Architects, Inc.
 2. Margo Jones
 3. Wilson Rains
 4. Kitchel and Austin
- and to authorize the Superintendent or his designee to negotiate a fee with the highest choice and, if that negotiation fails, to continue negotiating through the list until a satisfactory fee can be achieved.
9. The Committee agreed to schedule the meetings for October, November, and December on the first Monday rather than the first Tuesday of those months: October 5, November 2, December 7.
10. The meeting was adjourned at 12:30 pm.

LJL/amf

MASSACHUSETTS DEPARTMENT OF REVENUE
DIVISION OF LOCAL SERVICES

P.O. Box 9655

Boston 02114-9655



HITCHELL ADAMS
Commissioner

(617) 727-2300
FAX (617) 727-6432

LESLIE A. KIRWAN
Deputy Commissioner

August 12, 1992

TO LOCAL GOVERNMENT AND REGIONAL SCHOOL DISTRICT OFFICIALS:

This letter is to inform you of revisions to the FY93 Cherry Sheets, which were issued by the Department of Revenue on June 1, 1992 and reflected the Governor's FY93 budget as presented in House 1 and the Local Aid Resolution approved by the Legislature. The following revisions to estimated receipts (Forms C.S. 1-ER and C.S. 2-ER) and estimated charges (Form C.S. 1-EC) reflect final enactment of the FY93 budget, as signed by the Governor on July 20, 1992, and subsequently acted on by the Legislature. Please note that the revisions include the following:

- New Per Pupil Education Aid of \$84.8 million
- An increase in Equal Education Opportunity Aid of \$100 million for a total of \$205.4 million
- An increase in the Lottery distribution of \$23 million for a total of \$329 million.

Enclosed please find "Description of FY93 Cherry Sheet Revisions" which provides a program by program description of these changes. The revisions to your community's or regional school district's estimated receipts and charges are provided on the enclosed form "FY93 Cherry Sheet Revision - August 1992."

If you would like a copy of your revised FY93 Cherry Sheet that shows final estimates for all programs, please contact Lisa Juskiewicz at (617) 727-2300 Ext. 472. If you have any questions or require additional information, you may call or write the Municipal Data Management and Technical Assistance Bureau, Division of Local Services, P.O. Box 9655, Boston, Massachusetts 02114-9655; (617) 727-2300, Ext. 450.

Very truly yours,

Leslie A. Kirwan

Leslie A. Kirwan
Deputy Commissioner

LAK:JS
Enclosures



MASSACHUSETTS DEPARTMENT OF REVENUE

DIVISION OF LOCAL SERVICES

P.O. Box 9655

Boston 02114-9655

ITCHELL ADAMS
Commissioner

(617) 727-2300
FAX (617) 727-6432

ESLIE A. KIRWAN
Deputy Commissioner

DESCRIPTION OF FY93 CHERRY SHEET REVISIONS

FY93 CHERRY SHEET REVISIONS: ESTIMATED RECEIPTS

1. New Programs

Per Pupil Education Aid (New Line B3A, Forms C.S. 1-ER & C.S. 2-ER)

The final budget appropriates \$84,836,800 to be distributed to cities, towns, and regional school districts according to the number of students as of October 1, 1991. Each qualifying city, town, and regional school district will receive \$100 per student.

The funds provided shall be expended exclusively for educational purposes. Cities, towns, and regional school districts will not qualify for these grants unless they:

(1) expend for educational purposes in FY93 at least the same amount as in FY92 and do not use their grant to supplant amounts previously expended in FY92 or budgeted for FY93 for educational purposes;

or

(2) maintain at least the same proportion of expenditures for educational purposes to expenditures for all purposes in FY93 as in FY92, if they expend for all purposes in FY93 less than they expended for all purposes in FY92.

The Department of Education in consultation with the Division of Local Services may waive one or more of the above restrictions for any city, town, or regional school district for which such restriction would cause fiscal hardship.

Each city, town, and regional school district shall file with the Commissioner of Education and the Secretary of Administration and Finance a spending plan detailing purposes for which it plans to expend the grants provided, including but not limited to new initiatives, class size reductions, management changes, or any other improvements in the educational program.

Please note that Per Pupil Education Aid is designated as an Education Offset on the enclosed Cherry Sheet revisions and must be used for the purposes specified by this program. Payments shall be deposited with the Treasurer of each city, town, and regional school district to be held as a separate account and expended by the school committee without appropriation.

The Department of Education will issue guidelines governing the requirements of this program.

State Owned Land (New Line C11, Form C.S. 1-ER)

The final budget appropriates \$6.5 million for reimbursements in lieu of taxes on state owned land. These funds are allocated based on the value of certain types of state owned land located in municipalities. The funds will be distributed to eligible communities on a prorated basis.

2. Revised Programs**Equal Education Opportunity (Line B3, Forms C.S. 1-ER & C.S. 2-ER)**

The Cherry Sheets issued in June reflected an appropriation of \$105,522,604 for Equal Education Opportunity grants. The final budget increases this appropriation by \$100 million for a revised total statewide Equal Education Opportunity appropriation of \$205,522,604.

Grant amounts shall be distributed based upon direct service expenditures in FY91. Equal Education Opportunity Maintenance of Effort requirements will apply to the additional funds to be distributed. Revised estimates for qualifying cities, towns, and regional school districts reflect the increase in this program's appropriation.

Grants must be accepted by cities, towns, and regional school districts. Cities and towns accept these grants by a vote of the school committee and the local appropriating authority. Regional school districts accept these grants by a vote of two thirds of their member communities. Please note that Equal Education Opportunity Aid is designated as an Education Offset on the enclosed Cherry Sheet revisions and must be used for the purposes specified by this program. Payments shall be deposited with the Treasurer of each city, town, and regional school district to be held as a separate account and expended by the school committee without appropriation.

The Department of Education will issue guidelines governing the requirements of this program.

Regional Public Libraries (Line C2, Form C.S. 1-ER)

The Cherry Sheets issued in June reflected an allocation of Regional Public Library funds that relied on the the 1988 Census, as required by House 1, the Governor's proposed FY93 budget. The final budget stipulates that the 1990 Census be used in determining this allocation. Revised estimates for participating communities reflect this adjustment.

Highway Fund (Line C6, Form C.S. 1-ER)

The Cherry Sheets issued in June reflected estimates of \$42,689,000 in the Highway Fund. The final budget increases this appropriation by \$386,655 for a total statewide Highway Fund distribution of \$43,075,655. The additional funds will be distributed to qualifying communities on a prorated basis.

Lottery (Line C7, Form C.S. 1-ER)

The Cherry Sheets issued in June reflected an estimated statewide distribution of \$306 million in Lottery receipts. The final budget increases this amount by \$23 million for a new estimated statewide distribution of \$329 million. The additional funds will be distributed to all communities on a prorated basis.

FY93 CHERRY SHEET REVISIONS: ESTIMATED CHARGES

1. Revised Programs

County Assessment, County Tax (Line A, Form C.S. 1-EC)

The Cherry Sheets issued in June reflected county tax assessments to communities that allowed each county to increase its county tax to make up the difference between the \$80.5 million County Jail Grants appropriation and what each county would have received if there had been an annual $2\frac{1}{2}\%$ increase in this appropriation since FY90.

The final budget requires that each community's share of the county tax assessment be based upon a $2\frac{1}{2}\%$ increase from the FY92 actual county tax assessment. The revised Cherry Sheets reflect a \$1.7 million reduction statewide in county tax assessments to communities.

Mosquito Control Projects (Line B5, Form C.S. 1-EC)

The Cherry Sheets issued in June reflected Mosquito Control district assessments based on the House budget. The final budget reflects minor changes from these amounts due to increases in group insurance and workmen's compensation costs, as well as changes in district membership. The revised assessments reflect allocation of these changes.

MASSACHUSETTS DEPARTMENT OF REVENUE
DIVISION OF LOCAL SERVICES
FY93 CHERRY SHEET REVISION - AUGUST 1992

TOWN OF LEVERETT

**FORM CS 1-ER
ESTIMATED RECEIPTS**

Line	New Programs	New Estimate August 1992		
B3A	Per Pupil Education Aid (Offset)		21,100	
C11	State Owned Land		1,058	
Line	Revised Programs	Original Estimate June 1992	Revised Estimate August 1992	Change
C6	Highway Fund	33,095	33,395	300
C7	Lottery	63,394	68,159	4,765
Revised Sub-Totals and Totals				
B	Sub-Tot, Education Offset Items	945	22,045	21,100
B	Sub-Tot, All Education Items	2,920	24,020	21,100
C	Sub-Tot, Non-Offset Items	100,884	107,007	6,123
C	Sub-Tot, All General Government	102,859	108,982	6,123
D	TOTAL ESTIMATED RECEIPTS, FY93	111,209	138,432	27,223

**FORM CS 1-EC
ESTIMATED ASSESSMENTS**

Line	Revised Programs	Original Estimate June 1992	Revised Estimate August 1992	Change
A	County Assessment, County Tax	21,930	18,871	-3,059
Revised Sub-Totals and Totals				
E	Total Estimated Charges, FY93	30,016	26,957	-3,059
F	Net Charges, FY93	28,312	25,253	-3,059

account number	account title	1991 adjusted	1991 expended	1992 adjusted	1993 proposed	difference curr/prop
L02 LVE/2302-000-17	NURSE'S SALARY (SPED)	8565	8944	8555	8891	336
L02 LVE/2302-000-40	SPED CONTRACTED SERVICES	8000	12954	13500	13500	0
L02 LVE/2302-000-41	DOCTOR'S SALARY (SPED)	400	1400	500	500	0
L02 LVE/2302-000-64	SPECIAL TRAVEL	25	459	25	25	0
L02 LVE/2401-000-50	TEXTBOOKS	1300	1078	1664	2100	436
L02 LVE/2501-000-10	LIBRARIAN SALARY	0	0	36	4696	4660
L02 LVE/2501-000-30	LIBRARY AIDE SALARY	11337	11022	0	6922	6922
L02 LVE/2501-000-50	LIBRARY MATERIALS	1000	893	1000	500	-500
L02 LVE/2601-000-50	AUDIO-VISUAL MATERIALS	1000	186	1000	500	-500
L02 LVE/2802-000-10	PSYCHOLOGIST'S SALARY	13203	13203	14160	14512	352
L02 U28/2101-000-61	INSERVICE - UNION	250	267	268	281	13
function sub-total INSTRUCTION))		458764	462026	512194	551594	39400
FUNCTION: OTHER SCHOOL SER 3						
L02 LVE/3101-000-30	ATTENDANCE SALARY	10	0	0	0	0
L02 LVE/3201-000-10	NURSE'S SALARY (REG)	2855	2981	2852	2964	112
L02 LVE/3201-000-12	NURSE'S AIDE SALARY	5164	4729	5347	5290	-57
L02 LVE/3201-000-41	DOCTOR'S SALARY (REG ED)	100	0	100	100	0
L02 LVE/3201-000-50	HEALTH SUPPLIES	300	163	300	350	50
L02 LVE/3302-000-40	SPED. TRANSPORTATION	1800	0	0	0	0
L02 LVE/3409-000-69	FOOD SERVICE	3500	3500	4000	4000	0
function sub-total OTHER SCHOOL SER))		13729	11374	12599	12704	105
FUNCTION: PLANT OPERATION/ 4						
L02 LVE/4119-000-32	CUSTODIAL SALARIES	28340	28825	31999	32556	557
L02 LVE/4119-000-50	CUSTODIAL SUPPLIES	2600	1585	2500	2600	100
L02 LVE/4129-000-66	FUEL	8500	11411	11500	11500	0
L02 LVE/4139-000-65	ELECTRIC POWER	12000	14581	14500	19500	5000
L02 LVE/4139-000-68	SCHOOL TELEPHONE	1300	1288	1300	1500	200
L02 LVE/4219-000-69	GROUNDS MAINTENANCE	1960	1430	1960	1960	0
L02 LVE/4229-000-69	BUILDING MAINTENANCE	8000	7291	8000	9200	1200
L02 LVE/4239-000-64	MAINTENANCE TRAVEL	400	410	450	450	0
L02 LVE/4239-000-69	EQUIPMENT MAINTENANCE	1500	301	1500	1500	0
L02 U28/4119-000-32	CENTRAL OFFICE CUSTODIAN	270	257	296	313	17
L02 U28/4139-000-68	TELEPHONE-CENTRAL OFFICE	874	540	937	982	45
function sub-total PLANT OPERATION/))		65744	67924	74942	82061	7119
FUNCTION: FIXED CHARGES 5						
L02 LVE/5209-000-61	SCHOOL COMMITTEE INSURANCE	500	1547	2000	1800	-200
L02 LVE/5209-000-65	STUDENT COVERAGE	875	1015	1000	1200	200
L02 LVE/5309-000-6E	MODULAR SUPPORT	0	0	12500	0	-12500
L02 LVE/5309-00K-6E	RENT-KINDERGARTEN SPACE	0	5000	0	0	0
L02 U28/5209-000-6D	DISABILITY INSURANCE	90	89	96	101	5
L02 U28/5309-000-6E	RENT - CENTRAL OFFICE	899	898	1018	1066	48
function sub-total FIXED CHARGES))		2364	8550	16614	4167	-12447
FUNCTION: ACQUISITION/IMPRO 7						
L02 LVE/7209-000-80	BUILDING IMPROVEMENTS	0	0	0	0	0
L02 LVE/7309-000-80	ACQUISITION OF NEW EQUIPMENT	0	257	5000	0	-5000

TOWN OF LEVERETT ANNUAL TOWN MEETING
APRIL 25, 1992.

Franklin, SS.

To one of the Constables of Leverett

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, to meet in the Elementary School Auditorium at said Leverett, on Saturday, the 25th day of April next, at 9:30 in the forenoon (9:30 a.m.), then and there to act on the following articles, namely:

Article One: To choose all necessary town officers to serve for periods prescribed by law or town by-laws.

Article Two: To see if the Town will vote to raise and appropriate such sums of money as shall be necessary to meet town expenses.

Article Three: To see if the Town will vote to establish a Landfill Closure Fund and to allow the interest earned to become part of said fund, pursuant to MGL Chapter 44 Section 28C(f); and further to transfer previous appropriations for landfill closure to said fund as follows: \$14,000 voted as Article 11 on April 28, 1990; \$15,000 voted as Article 19 on April 27, 1991.

Sponsor: Selectboard

Article Four: To see if the Town will vote to expend from Free Cash Fifteen Thousand Dollars (\$15,000) for landfill closing costs and transfer said appropriation to the Landfill Closure Fund.

Sponsor: Selectboard

Article Five: To see if the Town will vote to appropriate or expend from Free Cash or Stabilization or borrow, Nineteen Thousand Dollars (\$19,000) to purchase and equip a sander/dump body for the Highway Department.

Sponsor: Selectboard

Article Six: To see if the Town will vote to appropriate or expend from Free Cash or Stabilization or borrow, Seventeen Thousand Dollars (\$17,000) to purchase and equip a police cruiser.

Sponsor: Selectboard

Police Department

Article Seven: To see if the Town will vote to appropriate or expend from Free Cash or Stabilization One Thousand and Six Hundred Dollars (\$1,600) to purchase two portable radios for the Police Department.

Sponsor: Police Department

Article Eight: To see if the Town will vote to expend Seventy-Three Thousand, Six Hundred and Eighty-Three dollars (\$73,683) in Transportation Bond monies (Chapter 33 of the Acts of 1991) which has been certified by the Department of Revenue as an available fund for the purpose of Chapter 90 type bridge and/or highway construction improvements and/or highway resurfacing.

Sponsor: Selectboard

Article Nine: To see if the Town will vote to expend from available funds Ten Thousand Five Hundred and Fifteen Dollars (\$10,515) for heating system improvements at the Leverett Elementary School.

Sponsor: School Committee

Article Ten: To see if the Town will vote to appropriate or expend from Free Cash or Stabilization or borrow, Fifteen Thousand Five Hundred Dollars (\$15,500) for costs associated with design for handicapped accessibility and a corridor; for the construction of the corridor and an egress door; and for curb cuts and other work needed to make the school building accessible to the handicapped at the Leverett Elementary School.

Sponsor: School Committee

Article Eleven: To see if the Town will vote to reduce the sum authorized to be borrowed under Article 12 at the April 27, 1991 Annual Town Meeting from One Hundred Ninety Two Thousand, Five Hundred Dollars (\$192,500) to One Hundred and Twenty-Seven Thousand, Five Hundred Dollars (\$127,500), or take any other action thereto.

Sponsor: School Committee

Article Twelve: To see if the Town will vote to appropriate or expend from Free Cash, Stabilization or borrow, Twenty Thousand Dollars (\$20,000) for the costs associated with updating the current water supply system at the Leverett Elementary School, or to take any other action relative thereto.

Sponsor: School Committee

Article Thirteen: To see if the Town will vote to appropriate or expend from Free Cash, Two Hundred Dollars (\$200) to pay a bill of prior years for tutoring services offered at the Elementary School during the spring 1991 term.

Sponsor: School Committee

Article Fourteen: To see if the Town will vote to appropriate or expend from Free Cash or Stabilization, the sum of Five Hundred Dollars (\$500) to pay for necessary advertising and miscellaneous expenses incurred in the pursuit of a cable television contract for the Town. Should such a contract be accepted, all said expenses shall be reimbursed to the Town by the contractor.

Sponsor: Selectboard

Article Fifteen: To see if the Town will vote to transfer the sum of Forty Thousand Dollars (\$40,000) from Free Cash to the Reserve Account.

Sponsor: Finance committee

Article Sixteen: To see if the Town will vote to accept Massachusetts General Law Chapter 41 Section 100G 1/4 which requires that the Town pay reasonable funeral and burial expenses, not to exceed Five Thousand Dollars (\$5,000) for any firefighter or police officer killed in the performance of his/her duty.

Sponsor: Selectboard

Article Seventeen: To see which of the following two procedures (a) or (b) the Town chooses for selecting its representative(s) to the county legislative body if the Franklin County Charter is approved at the November 3, 1992 election:

(a) the town representative(s) to County Town Meeting shall be appointed by the Board of Selectmen, or

(b) the town representative(s) to the County Town Meeting shall be elected by the town's registered voters.

Sponsor: Selectboard

Article Eighteen: To see if the Town will vote to create a three person Regional School District Planning Committee to explore various elementary and secondary school governance and organizational options, its members to be appointed by the Moderator.

The selectboard shall nominate one person to be appointed by the moderator; the School Committee shall nominate one of its members to be appointed by the Moderator. At least one member of the Regional School District Planning Committee shall be a parent with a child enrolled in the present school system.

The Regional School District Planning Committee shall file a report at the Annual Town meeting or such other times as may be appropriate.

Sponsor: Selectboard

School Committee

Article Nineteen: To see if the Town will vote to amend the Leverett Zoning By-Law by the addition of a new Section 4700 which creates a Rattlesnake Gutter Overlay District. The intent of this is to protect the natural, geological and historic character of the Rattlesnake Gutter Overlay District while providing for reasonable use of private land. Structures built in this District would be subject to increased setback requirements, a natural vegetation buffer zone and site plan review. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Sponsor: Planning Board

Article Twenty: To see if the Town will vote to adopt the following resolution:

BE IT RESOLVED THAT THE TOWN APPRECIATES THE SERVICES PROVIDED BY THE POLICE AND FIRE DEPARTMENT AND DESIRES TO SUPPORT THE LEVEL OF SERVICES NOW PROVIDED.

Sponsor: Selectboard

Article Twenty-one: To see if the Town will vote to adopt the following resolution:

BE IT RESOLVED THAT THE TOWN APPRECIATES THE SERVICES PROVIDED BY THE HIGHWAY DEPARTMENT AND DESIRES TO SUPPORT THE LEVEL OF SERVICES NOW PROVIDED.

Sponsor: Selectboard

Article Twenty-two: To see if the Town will vote to adopt the following resolution:

BE IT RESOLVED THAT THE TOWN OF LEVERETT CALLS UPON THE LEGISLATURE TO ANNUALLY APPROPRIATE AND FULLY DISTRIBUTE THE LEGALLY REQUIRED 15% OF GAS TAX RECEIPTS TO CITIES AND TOWNS, FOR THE CONSTRUCTION, MAINTENANCE, AND POLICING OF LOCAL ROADS.

Sponsor: Selectboard

Article Twenty-three: To see if the Town will vote to adopt the following resolution:

WHEREAS since the cold war has ended and the Soviet Union has expired; and

WHEREAS this means military expenditures can be drastically reduced.

THEREFORE BE IT RESOLVED that the military budget be reduced by 30 billion dollars each year for the next five years; and

BE IT FURTHER RESOLVED that these savings be used to assist employers in converting from military to peace-time production; providing federal aid to states, counties, cities, and towns as was done in prior years; and to meet human needs; health care, education, housing, full employment, transportation, and restoring and protecting our environment; and

BE IT FURTHER RESOLVED that the Town Clerk communicate this resolution to our Representatives and Senators in Congress; Governor Weld, and President Bush.

Sponsor: Citizen's Petition

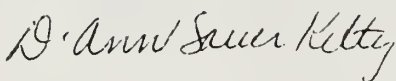
And you are directed to serve this Warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, seven days at least before the day of said meeting.

Given under our hands this sixth day of April, A.D., 1992.

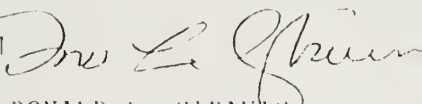
SELECTBOARD OF LEVERETT

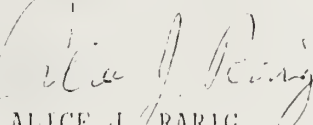

FENNA LEE BONSIGNORE

A true copy I attest:



Town Clerk


DONALD L. GIBAULT


ALICE J. RARIG

I have served this Warrant as directed therein.

Date: 4/15/92 Constable: Ethan V. Hammond

TOWN OF LEVERETT ANNUAL TOWN MEETING
APRIL 25, 1992.

Franklin, SS.

To one of the Constables of Leverett

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, to meet in the Elementary School Auditorium at said Leverett, on Saturday, the 25th day of April next, at 9:30 in the forenoon (9:30 a.m.), then and there to act on the following articles, namely:

Article One: To choose all necessary town officers to serve for periods prescribed by law or town by-laws.

Article Two: To see if the Town will vote to raise and appropriate such sums of money as shall be necessary to meet town expenses.
\$1,871,384.00 voted

Article Three: To see if the Town will vote to establish a Landfill Closure Fund and to allow the interest earned to become part of said fund, pursuant to MGL Chapter 44 Section 28C(f); and further to transfer previous appropriations for landfill closure to said fund as follows:
\$14,000 voted as Article 11 on April 28, 1990; \$15,000 voted as Article 19 on April 27, 1991.

Sponsor: Selectboard

Carried

Article Four: To see if the Town will vote to expend from Free Cash Fifteen Thousand Dollars (\$15,000) for landfill closing costs and transfer said appropriation to the Landfill Closure Fund.

Sponsor: Selectboard

Carried

Article Five: To see if the Town will vote to appropriate or expend from Free Cash ~~xxxxxx~~ Stabilization ~~xxxxxxxxxx~~, Nineteen Thousand Dollars (\$19,000) to purchase and equip a sander/dump body for the Highway Department.

Sponsor: Selectboard

Carried unanimously

Article Six: To see if the Town will vote to appropriate or expend from Free Cash ~~xxxxxx~~ Stabilization ~~xxxxxxxxxx~~, Seventeen Thousand Dollars (\$17,000) to purchase and equip a police cruiser.

Sponsor: Selectboard

Carried 92-14

Police Department

Article Seven: To see if the Town will vote to appropriate or expend from Free Cash ~~xxxxxxxxxxxxxxxx~~ One Thousand and Six Hundred Dollars (\$1,600) to purchase two portable radios for the Police Department.

Sponsor: Police Department

Carried

Article Eight: To see if the Town will vote to expend Seventy-Three Thousand, Six Hundred and Eighty-Three dollars (\$73,683) in Transportation Bond monies (Chapter 33 of the Acts of 1991) which has been certified by the Department of Revenue as an available fund for the purpose of Chapter 90 type bridge and/or highway construction improvements and/or highway resurfacing.

Carried

Sponsor: Selectboard

Article Nine: To see if the Town will vote to expend from available funds Ten Thousand Five Hundred and Fifteen Dollars (\$10,515) for heating system improvements at the Leverett Elementary School.

Carried

Sponsor: School Committee

Article Ten: To see if the Town will vote to ~~appropriate or expend from Free Cash, Stabilization or~~ borrow, Fifteen Thousand Five Hundred Dollars (\$15,500) for costs associated with design for handicapped accessibility and a corridor; for the construction of the corridor and an egress door; and for curb cuts and other work needed to make the school building accessible to the handicapped at the Leverett Elementary School.

Carried 91-1

Sponsor: School Committee

Article Eleven: To see if the Town will vote to reduce the sum authorized to be borrowed under Article 12 at the April 27, 1991 Annual Town Meeting from One Hundred Ninety Two Thousand, Five Hundred Dollars (\$192,500) to One Hundred and Twenty Seven Thousand, Five Hundred Dollars (\$127,500), or take any other action thereto.

* see below

Sponsor: School Committee

Article Twelve: To see if the Town will vote to appropriate or expend from Free Cash, Stabilization or borrow, Twenty Thousand Dollars (\$20,000) for the costs associated with updating the current water supply system at the Leverett Elementary School, or to take any other action relative thereto.

Passed over

Sponsor: School Committee

Article Thirteen: To see if the Town will vote to appropriate or expend from Free Cash, Two Hundred Dollars (\$200) to pay a bill of prior years for tutoring services offered at the Elementary School during the spring 1991 term.

Carried unanimously

Sponsor: School Committee

Article Fourteen: To see if the Town will vote to appropriate ~~or expend from Free Cash or Stabilization~~ ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ the sum of Five Hundred Dollars (\$500) to pay for necessary advertising and miscellaneous expenses incurred in the pursuit of a cable television contract for the Town. Should such a contract be accepted, all said expenses shall be reimbursed to the Town by the contractor.

Carried

Sponsor: Selectboard

Article Fifteen: To see if the Town will vote to transfer the sum of Forty Thousand Dollars (\$40,000) from Free Cash to the Reserve Account.

Carried unanimously

Sponsor: Finance committee

Article Sixteen: To see if the Town will vote to accept Massachusetts General Law Chapter 41 Section 100G 1/4 which requires that the Town pay reasonable funeral and burial expenses, not to exceed Five Thousand Dollars (\$5,000) for any firefighter or police officer killed in the performance of his/her duty.

Carried

Sponsor: Selectboard

Article Seventeen: To see which of the following two procedures (a) or (b) the Town chooses for selecting its representative(s) to the county legislative body if the Franklin County Charter is approved at the November 3, 1992 election:

(a) the town representative(s) to County Town Meeting shall be appointed by the Board of Selectmen, or

(b) the town representative(s) to the County Town Meeting shall be elected by the town's registered voters.

Sponsor: Selectboard

Option (b) carried

Article Eighteen: To see if the Town will vote to create a three person Regional School District Planning Committee to explore various elementary and secondary school governance and organizational options, its members to be appointed by the Moderator.

(The selectboard shall nominate one person to be appointed by the moderator; the School Committee shall nominate one of its members to be appointed by the Moderator. At least one member of the Regional School District Planning Committee shall be a parent with a child enrolled in the present school system.

The Regional School District Planning Committee shall file a report at the Annual Town meeting or such other times as may be appropriate.)

Sponsor: Selectboard

Carried with some wording change and () section School Committee deleted.

Article Nineteen: To see if the Town will vote to amend the Leverett Zoning By-law by the addition of a new Section 4700 which creates a Rattlesnake Gutter Overlay District. The intent of this is to protect the natural, geological and historic character of the Rattlesnake Gutter Overlay District while providing for reasonable use of private land. Structures built in this District would be subject to increased setback requirements, a natural vegetation buffer zone and site plan review. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Sponsor: Planning Board

Withdrawn indefinitely

Article Twenty: To see if the Town will vote to adopt the following resolution:

BE IT RESOLVED THAT THE TOWN APPRECIATES THE SERVICES PROVIDED BY THE POLICE AND FIRE DEPARTMENT AND DESIRES TO SUPPORT THE LEVEL OF SERVICES NOW PROVIDED.

Sponsor: Selectboard

Carried unanimously

Article Twenty-one: To see if the Town will vote to adopt the following resolution:

BE IT RESOLVED THAT THE TOWN APPRECIATES THE SERVICES PROVIDED BY THE HIGHWAY DEPARTMENT AND DESIRES TO SUPPORT THE LEVEL OF SERVICES NOW PROVIDED.

Sponsor: Selectboard

Carried unanimously

Article Twenty-two: To see if the Town will vote to adopt the following resolution:

BE IT RESOLVED THAT THE TOWN OF LEVERETT CALLS UPON THE LEGISLATURE TO ANNUALLY APPROPRIATE AND FULLY DISTRIBUTE THE LEGALLY REQUIRED 15% OF GAS TAX RECEIPTS TO CITIES AND TOWNS, FOR THE CONSTRUCTION, MAINTENANCE, AND POLICING OF LOCAL ROADS.

Sponsor: Selectboard

Carried unanimously

Article Twenty-three: To see if the Town will vote to adopt the following resolution:

WHEREAS since the cold war has ended and the Soviet Union has expired; and
WHEREAS this means military expenditures can be drastically reduced.
THEREFORE BE IT RESOLVED that the military budget be reduced by 30 billion dollars each year for the next five years; and
BE IT FURTHER RESOLVED that these savings be used to assist employers in converting from military to peace-time production; providing federal aid to states, counties, cities, and towns as was done in prior years; and to meet human needs; health care, education, housing, full employment, transportation, and restoring and protecting our environment; and
BE IT FURTHER RESOLVED that the Town Clerk communicate this resolution to our Representatives and Senators in Congress, Governor Weld, and President Bush.

Sponsor: Citizen's Petition

Carried unanimously

And you are directed to serve this Warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, seven days at least before the day of said meeting.

Given under our hands this sixth day of April, A.D., 1992.

SELECTBOARD OF LEVERETT

FENNA LEE BONSIGNORE

A true copy I attest:

D. Ann Sauer Kelly

Town Clerk

Donald E. Gibay
DONALD E. GIBAY

Alice J. Rarig
ALICE J. RARIG

*Article Eleven: Sum was reduced from \$192,500 to \$147,500 and original borrowing scope was increased to cover work on existing water supply.
Carried

I have served this Warrant as directed therein.

Date: 4/15/92 Constable: Ethan V. Hammond

MINUTES
LEVERETT ANNUAL TOWN MEETING
APRIL 25, 1992

The meeting was called to order at 9:35am by Moderator Ed Gere. A quorum was declared present. Rev. Larry Riddle, pastor of the Moores Corner Church gave the invocation. The Moderator explained the nature of the Town Meeting procedure and reminded those present that they may not vote unless they are a registered voter in the town.

There were announcements about an upcoming rabies clinic, a transportation survey available, a petition circulating in support of federal aid to libraries. Mr. Gere recognized Annette Gibavic for her work on the dedication in the Annual Town Report, and expressed gratitude to Ted Hallstrom, principal and Ken Wing and Karen Fairman, custodians at the school, for the obvious work done in preparing for the Town Meeting.

Dave Evans and Sandra Corcoran were appointed tellers for the meeting.

The Moderator announced that the return of warrant shows that it has been properly served, and that it will be entered into the official record of the Town Meeting. He entertained a motion to dispense with the reading of the warrant, so moved, seconded and passed unanimously.

Article One: To choose all necessary town officers to serve for periods prescribed by law or town by-laws.

OFFICE	NOMINEE	TERM LENGTH
Asst. Moderator	Richard Howland	1 year
Auditor	Steve Nagy	1 year
Selectman	Fenna Bonsignore	3 years
Board of Health (2)	Matt Corcoran	3 years
	vacant	3 years
Assessor	Don Robinson	3 years
Town Clerk	D'Ann Kelty *	3 years
School Committee	Sunny Caldwell	3 years
Finance Committee (4)	Robt. Stachowiak	3 years
	Edith Field	3 years
	Richard Roberts Jr.	2 years
	Steve Smidowicz	1 year
Library Trustee (3)	Elaine Barker	3 years
	Robin Levine	3 years
	Chris Condit	1 year
Planning Board	Robert Hursh	5 years
Constable	Carlyle Field	3 years
Tree Warden	Will Stratford	1 year

All positions were unopposed and a motion was made in each instance that the moderator instruct the Town Clerk to cast a single ballot for the nominee. One three year seat on the Board of Health was left vacant due to failure to nominate.

*In the case of the Town Clerk election, a member of the board of selectmen was asked to cast the single ballot.

Article Two: To see if the Town will vote to raise and appropriate such sums of money as shall be necessary to meet town expenses.

Moderator Gere read through the categories of the FY93 budget. There was a hold asked on the health insurance line, but after a word of explanation of the line from Jane Davis, Administrative Assistant, the hold was lifted.

Donald Gibavic: I move that the Town vote to raise and appropriate the sum of \$1,871,384.00 to meet town expenses.

Alice Rarig: Second.

Motion carried unanimously (10:20am).

Article Three: To see if the Town will vote to establish a Landfill Closure Fund and to allow the interest earned to become part of said fund, pursuant to MGL Chapter 44 Section 28C(f); and further to transfer previous appropriations for landfill closure to said fund as follows: \$14,000 voted as Article 11 on April 28, 1990; \$15,000 voted as Article 19 on April 27, 1991.

Alice Rarig: I move that the Town vote to establish a Landfill Closure Fund and to allow the interest earned to become part of said fund, pursuant to MGL Chapter 44 Section 28C(f); and further to transfer previous appropriations for landfill closure to said fund as follows: \$14,000 voted as Article 11 on April 28, 1990; \$15,000 voted as Article 19 on April 27, 1991.

George Drake: Second.

John Foster, chair of the Landfill Alternatives Committee gave a brief report on the imminent (January 1, 1994) required closing of the town landfill, and the various options being considered for waste disposal.

Motion carried.

At this point, Moderator Gere recognized Carmen Buell, Leverett's Representative in the General Court, who spoke briefly to the meeting.

1. The purpose of this document is to provide information on the status of the project and the progress made to date. This information is being provided for your information and is not to be used for any other purpose.

2. The project is currently in the planning stage and is expected to be completed by the end of the year. The progress made to date is as follows:

3. The project is currently in the planning stage and is expected to be completed by the end of the year. The progress made to date is as follows:

4. The project is currently in the planning stage and is expected to be completed by the end of the year. The progress made to date is as follows:

5. The project is currently in the planning stage and is expected to be completed by the end of the year. The progress made to date is as follows:

6. The project is currently in the planning stage and is expected to be completed by the end of the year. The progress made to date is as follows:

7. The project is currently in the planning stage and is expected to be completed by the end of the year. The progress made to date is as follows:

8. The project is currently in the planning stage and is expected to be completed by the end of the year. The progress made to date is as follows:

9. The project is currently in the planning stage and is expected to be completed by the end of the year. The progress made to date is as follows:

10. The project is currently in the planning stage and is expected to be completed by the end of the year. The progress made to date is as follows:

11. The project is currently in the planning stage and is expected to be completed by the end of the year. The progress made to date is as follows:

Article Four: To see if the Town will vote to expend from Free Cash Fifteen Thousand Dollars (\$15,000) for landfill closing costs and transfer said appropriation to the Landfill Closure Fund.

Alice Rarig: I move that the Town vote to expend from Free Cash Fifteen Thousand Dollars (\$15,000) for landfill closing costs and transfer said appropriation to the Landfill Closure Fund.

Cliff Blinn: Second.

Finance Committee recommended, Capital Planning recommended.

Motion carried.

Article Five: To see if the Town will vote to appropriate or expend from Free Cash or Stabilization or borrow, Nineteen Thousand Dollars (\$19,000) to purchase and equip a sander/dump body for the Highway Department.

Donald Gibavic: I move that the Town expend from Stabilization Nineteen Thousand Dollars (\$19,000) to purchase and equip a sander/dump body for the Highway Department.

George Drake: Second.

Finance Committee recommended, Capital Planning Committee recommended.

(2/3 vote needed) Motion carried unanimously.

Article Six: To see if the Town will vote to appropriate or expend from Free Cash or Stabilization or borrow, Seventeen Thousand Dollars (\$17,000) to purchase and equip a police cruiser.

Donald Gibavic: I move that the Town expend from Stabilization Seventeen Thousand Dollars (\$17,000) to purchase and equip a police cruiser.

Alice Rarig: Second.

Finance Committee read a statement opposing the expenditure based on the 3 year replacement rate of keeping two cruisers.

Capital Planning Committee did not recommend based on economics.

Alie Rarig, selectboard and Peter Zabko, Police Chief spoke for the motion.

(2/3 vote needed) Vote: Yes-92; No-14. Motion carried.

Article Seven: To see if the Town will vote to appropriate or expend from Free Cash or Stabilization One Thousand and Six Hundred Dollars (\$1,600) to purchase two portable radios for the Police Department.

Donald Gibavic: I move that the Town expend from Free Cash One Thousand and Six Hundred Dollars (\$1,600) to purchase two portable radios for the Police Department.

Peter Zabko: Second.

Finance Committee did not recommend and suggested fund raising for this need.

Motion carried.

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Article Eight: To see if the Town will vote to expend Seventy-Three Thousand, Six Hundred and Eighty-Three dollars (\$73,683) in Transportation Bond monies (Chapter 33 of the Acts of 1991) which has been certified by the Department of Revenue as an available fund for the purpose of Chapter 90 type bridge and/or highway construction improvements and/or highway resurfacing.

Donald Gibavic: I move the Town will vote to expend Seventy-Three Thousand, Six Hundred and Eighty-Three dollars (\$73,683) in Transportation Bond monies (Chapter 33 of the Acts of 1991) which has been certified by the Department of Revenue as an available fund for the purpose of Chapter 90 type bridge and/or highway construction improvements and/or highway resurfacing.

George Gibavic: Second.

Finance Committee recommends.

Motion carried.

Article Nine: To see if the Town will vote to expend from available funds Ten Thousand Five Hundred and Fifteen Dollars (\$10,515) for heating system improvements at the Leverett Elementary School.

Judi Fonsh: I move that the Town will vote to expend from available funds Ten Thousand Five Hundred and Fifteen Dollars (\$10,515) for heating system improvements at the Leverett Elementary School.

Dick Howland: Second.

Judi explained that these available funds are the surplus of the article voted at Annual Town Meeting in 1990 which authorized borrowing \$125,500 for improvements at the school. The spending for these has been complete and \$10,515 has been released by the school committee. Martin Leggott gave an explanation of the progress on the fuel oil tank replacement project.

Capital Planning recommended, Finance Committee recommended.

Motion carried.

Article Ten: To see if the Town will vote to appropriate or expend from Free Cash or Stabilization or borrow, Fifteen Thousand Five Hundred Dollars (\$15,500) for costs associated with design for handicapped accessibility and a corridor; for the construction of the corridor and an egress door; and for curb cuts and other work needed to make the school building accessible to the handicapped at the Leverett Elementary School.

Judi Fonsh: I move that the Town borrow Fifteen Thousand Five Hundred Dollars (\$15,500) for costs associated with design for handicapped accessibility and a corridor; for the construction of the corridor and an egress door; and for curb cuts and other work needed to make the school building accessible to the handicapped at the Leverett Elementary School.

Amy Kahn: Second.

There was an explanation that the school must be made handicapped accessible to comply with the new Federal Americans with Disabilities Act, and most immediately to accommodate a child in need. This is the first part of the plan; once the design work is complete, and a plan for the needed elevator is in hand, the school committee will come to fall town meeting with a request for the complete amount needed.

Editorial Note: The following is a list of the names of the members of the American Medical Association who have been elected to the office of President for the year 1917. The names are listed in alphabetical order of their last names.

Dr. J. C. Brainerd, of the University of Illinois, has been elected President of the American Medical Association for the year 1917. Dr. Brainerd is a member of the Association since 1892 and has held the office of President of the Association for the year 1916.

Dr. J. C. Brainerd, of the University of Illinois, has been elected President of the American Medical Association for the year 1917. Dr. Brainerd is a member of the Association since 1892 and has held the office of President of the Association for the year 1916.

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Dr. J. C. Brainerd, of the University of Illinois, has been elected President of the American Medical Association for the year 1917. Dr. Brainerd is a member of the Association since 1892 and has held the office of President of the Association for the year 1916.

Finance Committee recommended. Capital Planning did not recommend the original request for the entire project because they felt the figures were too uncertain--they preferred this split approach to the funding.

(2/3 vote needed) Vote: Yes-91, No-1 Motion carries.

Article Eleven: To see if the Town will vote to reduce the sum authorized to be borrowed under Article 12 at the April 27, 1991 Annual Town Meeting from One Hundred Ninety Two Thousand, Five Hundred Dollars (\$192,500) to One Hundred and Twenty-Seven Thousand, Five Hundred Dollars (\$127,500), or take any other action thereto.

Judi Fonsh: I move that the Town authorize the expenditure of Twenty Thousand Dollars (\$20,000) from the amount authorized to be borrowed under Article Twelve of the April 27, 1991 Annual Town Meeting to install a new well at the elementary school for the purpose of updating and upgrading the existing well and water supply system and further that the amount authorized at said meeting to be borrowed [One Hundred Ninety-Two Thousand, Five Hundred Dollars (\$192,500)] be then reduced to One Hundred Forty-Seven Thousand Five Hundred Dollars (\$147,500).

Richard Howland: Second.

Judi explained that the substance of this motion, and the subsequent move to pass over the next article, is the same intent as articles 11 and 12 as written in the warrant.

Finance Committee recommended. Capital Planning Committee did not take a stand on this as there was no breakdown on the \$20,000 needed for the existing water supply.

Martin Leggott gave an explanation on what would be needed.

Motion carried unanimously.

Article Twelve: To see if the Town will vote to appropriate or expend from Free Cash, Stabilization or borrow, Twenty Thousand Dollars (\$20,000) for the costs associated with updating the current water supply system at the Leverett Elementary School, or to take any other action relative thereto.

Judi Fonsh: I move to pass over Article 12. Motion seconded, carried.

Article Thirteen: To see if the Town will vote to appropriate or expend from Free Cash, Two Hundred Dollars (\$200) to pay a bill of prior years for tutoring services offered at the Elementary School during the spring 1991 term.

Judi Fonsh: I move that the Town will vote to appropriate Two Hundred Dollars (\$200) to pay a bill of prior years for tutoring services offered at the Elementary School during the spring 1991 term.

Kip Fonsh: Second.

(4/5 vote needed) Motion carried unanimously.

Moderator Gere called a recess for lunch at 12:05, meeting to resume at 1:00.

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Moderator Ed Gere called the meeting to order at 1:00pm.

Article Fourteen: To see if the Town will vote to appropriate or expend from Free Cash or Stabilization, the sum of Five Hundred Dollars (\$500) to pay for necessary advertising and miscellaneous expenses incurred in the pursuit of a cable television contract for the Town. Should such a contract be accepted, all said expenses shall be reimbursed to the Town by the contractor.

Donald Gibavic: I move that the Town vote to appropriate the sum of Five Hundred Dollars (\$500) to pay for necessary advertising and miscellaneous expenses incurred in the pursuit of a cable television contract for the Town. Should such a contract be accepted, all said expenses shall be reimbursed to the Town by the contractor.

Don Progulske: Second.

Finance Committee recommended.

Evelyn Weiss, Chair of the Cable committee gave a brief report on the results of the cable survey, and answered questions about the committee.

Motion carried.

Article Fifteen: To see if the Town will vote to transfer the sum of Forty Thousand Dollars (\$40,000) from Free Cash to the Reserve Account.

Steve Smidowicz: I move that the Town transfer the sum of Forty Thousand Dollars (\$40,000) from Free Cash to the Reserve Account.

Don Gibavic: Second.

Motion carried unanimously.

Article Sixteen: To see if the Town will vote to accept Massachusetts General Law Chapter 41 Section 100G 1/4 which requires that the Town pay reasonable funeral and burial expenses, not to exceed Five Thousand Dollars (\$5,000) for any firefighter or police officer killed in the performance of his/her duty.

Fenna Lee Bonsignore: I move that the Town accept Massachusetts General Law Chapter 41 Section 100G 1/4 which requires that the Town pay reasonable funeral and burial expenses, not to exceed Five Thousand Dollars (\$5,000) for any firefighter or police officer killed in the performance of his/her duty.

Alice Rarig: Second.

Fenna gave a brief report on the work of the Personnel Committee this year, which included work on analyzing insurance coverage of emergency and public safety employees.

Finance Committee did not recommend from a fiscal point of view, noting that the town already voted to increase life insurance benefits for these employees.

Motion carried.

Article Seventeen: To see which of the following two procedures (a) or (b) the Town chooses for selecting its representative(s) to the county legislative body if the Franklin County Charter is approved at the November 3, 1992 election:

- (a) the town representative(s) to County Town Meeting shall be appointed by the Board of Selectmen, or
- (b) the town representative(s) to the County Town Meeting shall be elected by the town's registered voters.

Donald Gibavic: I move that the town elect its representative(s) to the county legislative body if the Franklin County Charter is approved at the November 3, 1992 election.

Fenna Bonsignore: Second.

Maggie Striebel, County Commissioner, was introduced. She explained the article at hand.

Motion carried.

Article Eighteen: To see if the Town will vote to create a three person Regional School District Planning Committee to explore various elementary and secondary school governance and organizational options, its members to be appointed by the Moderator.
The selectboard shall nominate one person to be appointed by the moderator; the School Committee shall nominate one of its members to be appointed by the Moderator. At least one member of the Regional School District Planning Committee shall be a parent with a child enrolled in the present school system.
The Regional School District Planning Committee shall file a report at the Annual Town meeting or such other times as may be appropriate.

Alice Rarig: I move that the Town create a three person Regional School District Planning Committee to explore various elementary and secondary school governance and organizational options, its members to be appointed by the Moderator according to the provisions of Massachusetts General Laws Chapter 71, Section 14 and that at least one member shall be a member of the school committee.

Judi Fonsh: Second.

It was noted that it is the sense of the Town Meeting that at least one member of the Planning Committee shall be a parent of a child presently enrolled in the system.

Motion carried unanimously.

Article Nineteen: To see if the Town will vote to amend the Leverett Zoning By-Law by the addition of a new Section 4700 which creates a Rattlesnake Gutter Overlay District. The intent of this is to protect the natural, geological and historic character of the Rattlesnake Gutter Overlay District while providing for reasonable use of private land. Structures built in this District would be subject to increased setback requirements, a natural vegetation buffer zone and site plan review. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Ken Kahn: I move that Article 19 be withdrawn indefinitely.
Bruce Kling: Second.

Ken explained that the Planning Board supports the article as written, but will give the Town more opportunity for input in the final wording of the article through future open meetings and hearings.

Motion carried.

Article Twenty: To see if the Town will vote to adopt the following resolution:
BE IT RESOLVED THAT THE TOWN APPRECIATES THE SERVICES PROVIDED BY THE POLICE AND FIRE DEPARTMENT AND DESIRES TO SUPPORT THE LEVEL OF SERVICES NOW PROVIDED.

Fenna Lee Bonsignore: I move the town adopt the following resolution:
BE IT RESOLVED THAT THE TOWN APPRECIATES THE SERVICES PROVIDED BY THE POLICE AND FIRE DEPARTMENT AND DESIRES TO SUPPORT THE LEVEL OF SERVICES NOW PROVIDED.
Dick Howland: Second.

Motion carried unanimously.

Article Twenty-one: To see if the Town will vote to adopt the following resolution:
BE IT RESOLVED THAT THE TOWN APPRECIATES THE SERVICES PROVIDED BY THE HIGHWAY DEPARTMENT AND DESIRES TO SUPPORT THE LEVEL OF SERVICES NOW PROVIDED.

Fenna Lee Bonsignore: I move the Town adopt the following resolution:
BE IT RESOLVED THAT THE TOWN APPRECIATES THE SERVICES PROVIDED BY THE HIGHWAY DEPARTMENT AND DESIRES TO SUPPORT THE LEVEL OF SERVICES NOW PROVIDED.
Alice Rarig: Second.

Motion carried unanimously.

Article Twenty-two: To see if the Town will vote to adopt the following resolution:
BE IT RESOLVED THAT THE TOWN OF LEVERETT CALLS UPON THE LEGISLATURE TO ANNUALLY APPROPRIATE AND FULLY DISTRIBUTE THE LEGALLY REQUIRED 15% OF GAS TAX RECEIPTS TO CITIES AND TOWNS, FOR THE CONSTRUCTION, MAINTENANCE, AND POLICING OF LOCAL ROADS.

Fenna Lee Bonsignore: I move that the Town adopt the following resolution:
BE IT RESOLVED THAT THE TOWN OF LEVERETT CALLS UPON THE LEGISLATURE TO ANNUALLY APPROPRIATE AND FULLY DISTRIBUTE THE LEGALLY REQUIRED 15% OF GAS TAX RECEIPTS TO CITIES AND TOWNS, FOR THE CONSTRUCTION, MAINTENANCE, AND POLICING OF LOCAL ROADS.
Alice Rarig: Second.
Finance Committee recommends.

Motion carried unanimously.

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1000 S. EAST ASIAN LIBRARY

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CHICAGO, ILL.

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CHICAGO, ILL.

CHICAGO, ILL.

Article Twenty-three: To see if the Town will vote to adopt the following resolution:

WHEREAS since the cold war has ended and the Soviet Union has expired;
and

WHEREAS this means military expenditures can be drastically reduced.

THEREFORE BE IT RESOLVED that the military budget be reduced by 30 billion dollars each year for the next five years; and

BE IT FURTHER RESOLVED that these savings be used to assist employers in converting from military to peace-time production; providing federal aid to states, counties, cities, and towns as was done in prior years; and to meet human needs; health care, education, housing, full employment, transportation, and restoring and protecting our environment; and

BE IT FURTHER RESOLVED that the Town Clerk communicate this resolution to our Representatives and Senators in Congress, Governor Weld, and President Bush.

Jim Perkins: I move that the Town adopt the following resolution:

WHEREAS since the cold war has ended and the Soviet Union has expired;
and

WHEREAS this means military expenditures can be drastically reduced.

THEREFORE BE IT RESOLVED that the military budget be reduced by 30 billion dollars each year for the next five years; and

BE IT FURTHER RESOLVED that these savings be used to assist employers in converting from military to peace-time production; providing federal aid to states, counties, cities, and towns as was done in prior years; and to meet human needs; health care, education, housing, full employment, transportation, and restoring and protecting our environment; and

BE IT FURTHER RESOLVED that the Town Clerk communicate this resolution to our Representatives and Senators in Congress, Governor Weld, and President Bush.

Don Gibavic: Second.

Motion carried unanimously.

Fenna Lee Bonsignore announced that there will be a debt exclusion override for the borrowing authorized today on June 20, 1992, from 10am until 2pm.

Steve Blinn: I move the Town Meeting adjourn.

Motion seconded, carried.

Annual Town Meeting adjourned at 2:02pm.

Minutes recorded and certified by D'Ann Kelty, Town Clerk.



TOWN OF LEVERETT
Massachusetts 01054

April 27, 1992

Debt Section
Bureau of Accounts
Division of Local Services
200 Portland Street
Boston, MA 02114-1715

To whom it may concern:

On April 25, 1992, the Town of Leverett held its Annual Town Meeting. On that date, the town meeting voted to pass Article Ten, which authorizes borrowing the sum of Fifteen Thousand, Five Hundred Dollars. The following is a copy of the text of the warrant article as published, the motion and the vote on the motion:

Article Ten: To see if the Town will vote to appropriate or expend from Free Cash or Stabilization or borrow, Fifteen Thousand Five Hundred Dollars (\$15,500) for costs associated with design for handicapped accessibility and a corridor; for the construction of the corridor and an egress door; and for curb cuts and other work needed to make the school building accessible to the handicapped at the Leverett Elementary School.

Judi Fonsh: I move that the Town borrow Fifteen Thousand Five Hundred Dollars (\$15,500) for costs associated with design for handicapped accessibility and a corridor; for the construction of the corridor and an egress door; and for curb cuts and other work needed to make the school building accessible to the handicapped at the Leverett Elementary School

Amy Kahn: Second.

(2/3 vote needed) Vote: Yes-91, No-1 Motion carries.

Enclosed please find the Loan Authorization Report Form DA-82.

Very truly yours,

D'Ann Sauer Kelty

D'Ann Sauer Kelty
Town Clerk

cc: DeeAnn Civello, Leverett Treasurer

LOAN AUTHORIZATION REPORT FORM

(Attachment A)

Town/District: LEVERETT

INFORMATION CONCERNING ANNUAL) MEETING CALLED FOR April 25, 1992

SPECIAL)

Article Ten passed on April 25, 1992 authorizing a loan of

\$ 15,500 for costs associated with design for handicapped accessibility and a corridor; for the construction of the corridor and an egress door; and for curb cuts and other work needed to make the school building accessible to the handicapped.

ATTESTED COPY OF WARRANT: building accessible to the handicapped.

Posted: Date April 15, 1992 Places* Post office, Congregational Church, store and church in North Leverett, store at Moores Corner

Published in newspaper: Date(s) 'not required

Warrant or notice mailed: Date April 11, 1992

To whom: Every household in town

Additional Notification Requirements: none Were these met? ---

VOTE COUNT (Unanimous or Actual Vote Count): Yes-91, No-1

SPECIAL REQUIREMENTS FOR ADJOURNED SESSION:

Warrant or notice of adjournment:

Posted: Date not applicable Places*

Published: Date(s) Mailed: Date

Additional Requirements Were these met?

QUORUM:

Number or percentage required: 5% Was quorum present? yes

Advisory)
Appropriation) Committee meeting posted: Date April 22, 1992
Finance)

If vote subject to referendum, were requirements met? ---

Is litigation pending which would affect the validity of this vote? no

I hereby certify that this information is correct to the best of my knowledge.

D'Ann Sauer Kelly
Town or District Clerk

* If Places are Specified by By-Law or Vote, list actual places posted.

Debt Section Tel: 617-727-2300 ext. 509 or 510
Bureau of Accounts
Division of Local Services FAX: 617-727-6432
200 Portland Street
Boston, Massachusetts 02114-1715

sent
12/2/94

DA-82 LOAN AUTHORIZATION REPORT FORM

Town/District: LEVERETT

INFORMATION CONCERNING ANNUAL) MEETING CALLED FOR April 25, 1992, 1992

~~(SPECIAL)~~

Article 11 passed on April 25, 19 92 authorizing a loan of
to reduce the amount of \$192,500 authorized on 4/27/91 ,
\$ 147,500 for see certified copy of minutes of meeting attached.

ATTESTED COPY OF WARRANT:

Posted: Date April 15, 1992 Places* Post office, Congregational Church,
store and church in North Leverett,
store at Moores' Corner

Published in newspaper: Date(s) not required

Warrant or notice mailed: Date April 11, 1992

To whom: every household in town

Additional Notification Requirements: n.a. Were these met? ---

VOTE COUNT (Unanimous or Actual Vote Count): unanimous

PLEASE ATTACH CERTIFIED COPY OF THE VOTE AS PASSED
PLEASE ALSO ATTACH RESULTS OF DEBT EXCLUSION VOTE, IF ANY

SPECIAL REQUIREMENTS FOR ADJOURNED SESSION:

Warrant or notice of adjournment:

Posted: Date not applicable Places*

Published: Date(s) Mailed: Date

Additional Requirements Were these met?

QUORUM:

Number or percentage required: 5% Was quorum present? yes

Finance/Advisory) Committee meeting posted: Date April 22, 1992

If vote subject to referendum, were requirements met? ---

Is litigation pending which would affect the validity of this vote? no

I hereby certify that this information
is correct to the best of my knowledge.

D. Anna Sauer Kelly
Town or District Clerk

* If Places are Specified by By-Law or Vote, list actual places posted.

Debt Section
Division of Local Services
P. O. Box 9655
Leverett, MA 02114-9655

Tel: (617) 727-2300 ext. 509 or 510
FAX: (617) 727-6432

Article Eleven: To see if the Town will vote to reduce the sum authorized to be borrowed under Article 12 at the April 27, 1991 Annual Town Meeting from One Hundred Ninety Two Thousand, Five Hundred Dollars (\$192,500) to One Hundred and Twenty-Seven Thousand, Five Hundred Dollars (\$127,500), or take any other action thereto.

Judi Fonsh: I move that the Town authorize the expenditure of Twenty Thousand Dollars (\$20,000) from the amount authorized to be borrowed under Article Twelve of the April 27, 1991 Annual Town Meeting to install a new well at the elementary school for the purpose of updating and upgrading the existing well and water supply system and further that the amount authorized at said meeting to be borrowed [One Hundred Ninety-Two Thousand, Five Hundred Dollars (\$192,500)] be then reduced to One Hundred Forty-Seven Thousand Five Hundred Dollars (\$147,500).

Richard Howland: Second.

Judi explained that the substance of this motion, and the subsequent move to pass over the next article, is the same intent as articles 11 and 12 as written in the warrant.

Finance Committee recommended. Capital Planning Committee did not take a stand on this as there was no breakdown on the \$20,000 needed for the existing water supply.

Martin Leggott gave an explanation on what would be needed.

Motion carried unanimously.

Article Twelve: To see if the Town will vote to appropriate or expend from Free Cash, Stabilization or borrow, Twenty Thousand Dollars (\$20,000) for the costs associated with updating the current water supply system at the Leverett Elementary School, or to take any other action relative thereto.

Judi Fonsh: I move to pass over Article 12. Motion seconded, carried.

TOWN OF LEVERETT FY93 Budget
April 25, 1992

account #		FY1993
113-5100	Town Meeting salaries	200
113	Town Meeting expenses	245
114-5100	Moderator salary	50
122-5100	Selectmen salaries	10607
122	Selectmen expenses	2260
124-5100	Administrative Assistant salaries	16820
124	Administrative Assistant expenses	3581
131	Finance Committee	95
132	Capital Planning	100
135	Audit	2700
141-5100	Assessors salaries	3868
141	Assessors expenses	950
142	Revaluation	8000
145-5100	Treasurer salaries	8058
145	Treasurer expenses	3600
146-5100	Collector salaries	6870
146	Collector expenses	2032
151	Town Counsel	1000
161-5100	Town Clerk salaries	6200
161	Town Clerk expenses	1670
162-5100	Elections salaries	1400
162	Elections expenses	100
163-5100	Registrars salaries	170
163	Registrars expenses	50
171-5100	Conservation Commission salaries	525
171	Conservation Commission expenses	875
175	Planning Board	1350
176	Zoning Board of Appeals	150
192-5100	Building Maintenance salaries	2255
192	Building Maintenance	9250
193	Building Insurance	7343
194	Auto Collision/Comprehensive	1030
195	Town Report	1750
198-5100	Newsletter	1168
	100 TOTAL GENERAL GOVERNMENT	106322
210-5100	Police salaries	32830
210	Police insurance	4175
210	Police expenses	18040
220-5100	Fire salaries	8965
220	Fire insurance	4609
220	Fire expenses	9650
231-5200	Ambulance	8000
241-5200	Building/Plumbing/Electrical Insp	15703
249	Animal Inspector salary	100
291	Civil Defense salary	25
292-5100	Dog Officer salary	650
292	Dog Officer expenses	90
299	Tree Warden expenses	2500
	200 TOTAL PUBLIC SAFETY	105337

300	School, Elementary	687202	
310	School, Regional	551952	
302-5100	School Committee salaries	250	
300 TOTAL EDUCATION			1239404
422-5100	Highways salaries	60618	
422	Highways expenses	56595	
423-5100	Snow and Ice salaries	8136	
423	Snow and ice expenses	12500	
424	Street Lights	2544	
439-5100	Landfill salaries	2787	
439	Landfill expenses	26620	
491	Cemetaries	1125	
400 TOTAL PUBLIC WORKS			170925
510-5100	Board of Health salaries	1200	
510	Board of Health expenses	625	
519-5200	Health Agent	6405	
541	Council on Aging	340	
543-5200	Veterans Agent	3228	
500 Total Human Services			11798
610-5100	Library salaries	6775	
610	Library expenses	2345	
630-5100	Recreation salaries	2400	
630	Recreation expenses	1016	
691	Historical Commission	150	
692	Harvest Festival	50	
600 TOTAL CULTURE & RECREATION			12736
710	Debt Principal	66800	
751	Debt Interest	19286	
700 TOTAL DEBT SERVICE			86086
911-5100	Franklin County Retirement	39751	
912-5100	Workers Comp	10334	
913-5100	Unemployment	4000	
914-5100	Health Insurance	60658	
915-5100	Life Insurance	383	
916-5100	Medicare	6100	
945	Liability Insurance	17550	
900 TOTAL MISCELLANEOUS			138776
TOTAL			1871384

Fy 92/Fy93 Levy Limit/Revenue/Expenditure Comparison

LEVY LIMIT Calculation

	Fy92	Fy93	±
Levy Base	1,324,035	1,506,697	182,662
+2½%	33,101	37,667	4,566
New Growth	32,800	20,000	-12,800
Override	116,761	0	-116,761
SUBTOTAL	1,506,697	1,564,364	57,667
Debt Exclusion	84,286	85,580	1,294
LEVY LIMIT	1,590,983	1,649,944	58,961

REVENUE

Tax Levy	1,590,792	1,649,944	59,152
Local Aid	139,723	109,029	-30,694
Local Receipts	162,000	165,500	3,500
SUBTOTAL	1,892,515	1,924,473	31,958
Free Cash to balance	15,000	0	-15,000
TOTAL REVENUE	1,907,515	1,924,473	16,958

EXPENDITURES

Appropriations	1,848,877	1,871,384	22,507
State/County Assess	28,199	29,199	1,000
Offsets	2,799	2,799	0
Overlay	27,424	20,000	-7,424
Articles 13 & 14		700	700
TOTAL	1,907,299	1,924,082	16,783

SURPLUS LEVY CAPACITY

216

391

April 8, 1992

ARTICLE	TOTAL EXPENDITURES	RAISE/ APPROPRIATE	FREE CASH	STABILIZATION OTHER AVAILABLE FUNDS	BORROW
✓ 2. Operating	1,871,384	1,871,384			
✓ 4. Landfill	15,000		15,000		
✓ 5. Sander	19,000			19,000	
✓ 6. Cruiser	17,000			17,000	
✓ 7. Radios	1,600		1,600		
✓ 9. Heating	10,515			10,515	
✓ 10 Handicapped					15,500
~~✓ 12 Water Supply~~					~~20,000~~
✓ 13 Prior years	200	200			
✓ 14. Cable Vision	500	500			
✓ 15. Reserve	40,000		40,000		
TOTAL	1,975,199	1,872,084	56,600	36,000	10,515
					35,500

~~35,500~~ authorized FY 93 Use of Free Cash and Stabilization
 15,500 to borrow

4/8/92 Free Cash Stabilization
 190,029 196,360

Article				
4 Landfill	15,000	5 Sander	19,000	
7 Radios	1,600	6 Cruiser	17,000	
15 Reserve	40,000			
Total	56,600			36,000

+++++ Estimated balance after ATM 133,429 + FY 92 reserve 160,360

programs designed to aid any political party or candidate for public office be permitted.

REGIONAL SCHOOL DISTRICT PLANNING BOARD.

71:14. Regional school district planning committee; creation; membership.

Section 14. Any town, by vote in town meeting duly called therefor, may create a special unpaid committee to be known as a regional school district planning committee, to consist of three members, including one member of the school committee, to be appointed by the moderator; and may at the same meeting or at a subsequent meeting appropriate for the expense of said committee such sum or sums, not exceeding one tenth of one per cent of the assessed valuation of such town in the preceding year, as it may deem necessary. Regional school district planning committees from any two or more towns may join together to form a regional school district planning board or boards. Such regional school district planning board shall organize forthwith upon its formation by the election of a chairman and secretary-treasurer.

71:14A. Duties of board.

Section 14A. It shall be the duty of the regional school district planning board to study the advisability of establishing a regional school district, its organization, operation and control, and of constructing, maintaining and operating a school or schools to serve the needs of such district; to estimate the construction and operating costs thereof; to investigate the methods of financing such school or schools, and any other matters pertaining to the organization and operation of a regional school district; and to submit a report of its findings and recommendations to the selectmen of the several towns.

71:14B. Regional school districts; formation; procedure.

Section 14B. The said regional district planning board may recommend that there shall be established a regional school district which may include all the towns represented by its membership, or alternatively, any specified combination of such towns. If the said regional district planning board so recommends, it shall submit a proposed agreement or agreements setting forth as to each alternative recommendation, if such be made, the following:—

(a) The number, composition, method of selection, and terms of office of the members of the regional district school committee.

(b) The town or towns in which, or the general area within the regional school district where, the regional district school or schools are to be located.

Town of Leverett
Massachusetts

June 19, 1992

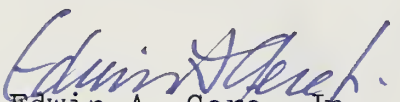
To: Catherine M. Lewis
Karen Rubin
John G. Stoffolano

From: Edwin A. Gere, Jr.

Under Article 18 of the 1992 Leverett Annual Town Meeting Wsrrant, the establishment of a Regional School District Planning Committee was approved, such Committee to be composed of three members to be appointed by the Moderator, with at least one member of the school committee to be named. It was also the sense of the town meeting that at least one member should be the parent of a child presently enrolled in the school system.

I am pleased to appoint each of you to this newly created committee, with Karen as the school committee representative, and I wish you well in your work. Good Luck.

Sincerely yours,


Edwin A. Gere, Jr.
Town Moderator

cc. Town Clerk
School Committee

ARTICLE ____ . TO SEE IF THE TOWN WILL VOTE TO AMEND THE LEVERETT ZONING BY-LAWS BY MAKING THE FOLLOWING CHANGES REGARDING A NEW RATTLESNAKE GUTTER OVERLAY DISTRICT:

Item 1. By adding a new Section 4700 creating the Rattlesnake Gutter Overlay District as follows:

4700. Rattlesnake Gutter Overlay District.

4710. Purpose. It is the intent of this Section 4700 to protect the natural, geological and historic character of the Rattlesnake Gutter Overlay District, while providing for reasonable use of private land.

4720. Establishment of District. The Rattlesnake Gutter Overlay District is herein established as an overlay district. The Rattlesnake Gutter Overlay District includes all land set back one thousand feet on both the north and south sides of Rattlesnake Gutter Road, as measured from the centerline of the travelled portion of the way, situated between the Sawmill River on the east, the westernmost culvert running under Rattlesnake Gutter Road, all as shown on a map entitled "Rattlesnake Gutter Overlay District, Town of Leverett, MA, 1992." The map is hereby made a part of this Zoning By-Law and is on file in the office of the Town Clerk.

4721. Where the boundaries of the Rattlesnake Gutter Overlay District are in doubt or dispute, the burden of proof shall be upon the owner of the land in question to show where the boundaries shall be properly located.

4730. Use Regulations. Within the Rattlesnake Gutter Overlay District, the requirements of the underlying districts continue to apply, except that the following regulations shall supersede otherwise applicable requirements:

4731. Setbacks. No structure shall be permitted within 500 feet of the centerline of the travelled portion of Rattlesnake Gutter Road. Where a structure is proposed on a lot in existence as of April 8, 1992, which cannot meet this requirement because of size or shape, the structure shall be located at the most distant feasible development site from Rattlesnake Gutter Road, as determined by the Planning Board in accordance with section 4740, below.

4732. Buffer Zone. No live vegetation shall be removed, nor shall excavation occur, within 250 feet of

the centerline of the travelled ^{two-thirds} portion of Rattlesnake Gutter Road, or within ~~one-half~~ the distance between any structure and the front lot line on Rattlesnake Gutter Road, whichever is greater ~~lesses~~.

4740. Site Plan Review. Applications for building permits or special permits within the Rattlesnake Gutter Overlay District shall be accompanied by four (4) copies of a site plan in accordance with the criteria specified below. The Building Inspector or the special permit granting authority shall forthwith forward such site plans to the Planning Board. Where applicable, the requirements of Section 3900 remain in full force and effect, in addition to these requirements under Section 4700. The Planning Board shall consolidate site plan review in such cases.

4741. Procedure. Site plans accompanying applications for building permits or site plans accompanying applications for special permits shall be processed in accordance with the specifications of Section 3910, above.

4742. Plans. Plans subject to this section shall show:

- a. Existing and proposed topography at 10 foot or 3 meter contour intervals;
- b. All boundary line information pertaining to the land sufficient to permit location of same on ground, including the location of the frontage for the lot;
- c. Location and height of the proposed structure(s); photographs or renderings of the elevation of the proposed structure(s) and any alterations;
- d. Parking, access, and egress provisions;
- e. Location of existing stonewalls, large trees, and wooded areas, and proposed removal or retention of same;
- f. Compliance with all applicable provisions of this Zoning By-Law.

Site plans shall be submitted on 24-inch by 36-inch sheets. Dimensions and scales shall be adequate to determine that all requirements are met and to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of 1"=200'.

4743. Decision. Site plan approval shall be granted upon determination by the Planning Board that the development complies, to the maximum extent feasible, with the following criteria and standards. The Planning Board may impose reasonable conditions, even at the expense of the applicant, to ensure that the criteria and standards have been satisfied. Except where the applicant has removed, or caused to be removed, mature trees from the site, whether pursuant to 304 CMR 11.00 or not, the Planning Board shall not require the planting of mature trees as a condition of site plan approval. New building construction or other site alteration shall be designed in the site plan, after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, so as to:

- a. Minimize the number of removed trees 6" caliper or larger and the length of removed stone walls;
- b. Minimize disruption of scenic views from publicly accessible locations;
- c. Minimize visual intrusion by controlling the visibility of the principal and accessory structures, parking, storage, or other outdoor service areas as viewed from public ways;

4744. Regulations. The Planning Board may adopt and from time to time amend reasonable regulations for the administration of these site plan guidelines.

Item 2. By deleting the last paragraph of section 2110, and substituting the following therefor:

Five additional "overlay" districts are also hereby created: a Stream and Lake Protection District (pursuant to Section 4500), a Flood Hazard District (pursuant to Section 4400), an Aquifer Protection District (pursuant to Section 4300), a Scenic Roads Protection District (pursuant to Section 4600), and a Rattlesnake Gutter Overlay District (pursuant to Section 4700).

Item 3. By adding a footnote 7 to the entry termed "Minimum front yard (ft.)" in section 2340, the Dimensional Schedule, so that said entry reads

10

10

10

MAR-27-92 FRI 16:02 NEST LOW E1B7019

	5, 7				
Minimum front yard (ft.)		40	40	40	40

and by adding the following footnote 7 at the proper location after said schedule:

7

In the Rattlesnake Gutter Overlay District, no structure shall be permitted within 500 feet of the centerline of the travelled portion of Rattlesnake Gutter Road. Where a structure is proposed on a lot in existence as of April 8, 1992, which cannot meet this requirement because of size or shape, the structure shall be located at the most distant feasible development site from Rattlesnake Gutter Road, as determined by the Planning Board in accordance with section 4740, below.

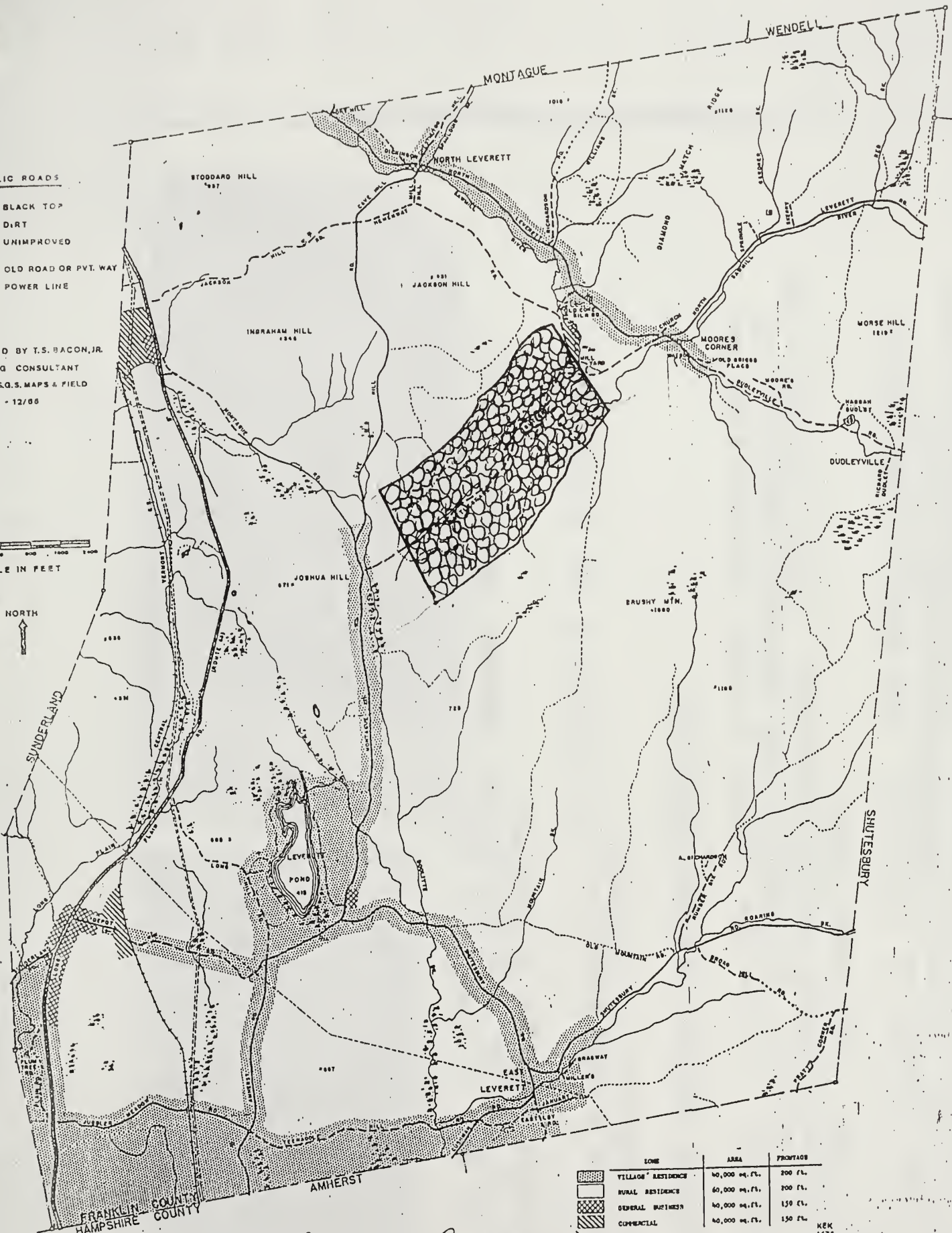
OR WHAT IT WILL DO IN RELATION THERETO.

PUBLIC ROADS

- BLACK TOP
- - - DIRT
- - - UNIMPROVED
- - - OLD ROAD OR PVT. WAY
- - - POWER LINE

PREPARED BY T.S. BACON, JR.
PLANNING CONSULTANT
FROM U.S.G.S. MAPS & FIELD
SURVEYS - 12/66

SCALE IN FEET
0 500 1000 1500



ZONE	AREA	PERCENTAGE
VILLAGE RESIDENCE	40,000 sq. ft.	200 ft.
RURAL RESIDENCE	60,000 sq. ft.	200 ft.
GENERAL BUSINESS	40,000 sq. ft.	150 ft.
COMMERCIAL	40,000 sq. ft.	150 ft.

KEK
1/75
AMENDED APRIL, 1989

RATTLESNAKE GUTTER OVERLAY DISTRICT
TOWN OF LEVERETT, MA, 1992

Leverett will hold a public hearing on Thursday, April 23, 1992, at 8:00 p.m. at the Leverett Town Hall, Montague Road, Leverett, Massachusetts, to give interested parties the opportunity to comment on a proposed amendment to the Leverett Zoning By-Laws, all pursuant to G.L. c. 40A, s. 5. The proposed amendment would establish a "Rattlesnake Gutter Overlay District" to protect the natural, geologic, and historic character of the land on both sides of Rattlesnake Gutter Road, in the area described on a map filed with the Town Clerk. The proposed amendment would subject structures in the district to increased setback and buffer requirements, and a site plan review process. The complete text of the article is on file with the Town Clerk and is available for inspection by interested persons during regular business hours.

Chairman, Planning Board
Kenneth P. Kahn

LEGAL NOTICE
TOWN OF LEVERETT
PLANNING BOARD

The Planning Board of the Town of Leverett will hold a public hearing on Thursday, April 23, 1992, at 8:00 p.m. at the Leverett Town Hall, Montague Road, Leverett, Massachusetts, to give interested parties the opportunity to comment on a proposed amendment to the Leverett Zoning By-Laws, all pursuant to G.L. c. 40A, s. 5. The proposed amendment would establish a "Rattlesnake Gutter Overlay District" to protect the natural, geologic, and historic character of the land on both sides of Rattlesnake Gutter Road, in the area described on a map filed with the Town Clerk. The proposed amendment would subject structures in the district to increased setback and buffer requirements, and a site plan review process. The complete text of the article is on file with the Town Clerk and is available for inspection by interested persons during regular business hours.

Kenneth P. Kahn
Chairman, Planning Board

TO SEE IF THE TOWN WILL
LAWS BY MAKING THE FOLLOWING CHANGES REGARDING A NEW
KE GUTTER OVERLAY DISTRICT:

By adding a new Section 4700 creating the Rattlesnake
erlay District as follows:

Rattlesnake Gutter Overlay District.

Purpose. It is the intent of this Section 4700 to
ect the natural, geological and historic character of
Rattlesnake Gutter Overlay District, while providing for
asonable use of private land.

Establishment of District. The Rattlesnake Gutter
erlay District is herein established as an overlay
istrict. The Rattlesnake Gutter Overlay District includes
land set back one thousand feet on both the north and
Rattlesnake Gutter Road, as measured from the

TOWN OF LEVERETT FEDERAL BUDGET RESOLUTION

Whereas the priorities in the federal budget have a direct effect on the welfare of the Town of Leverett; and

WHEREAS since the cold war has ended and the Soviet Union has expired; and

WHEREAS this means military expenditures can be drastically reduced.

THEREFORE BE IT RESOLVED that the Town of Leverett affirm and declare its support for a drastic change in the priorities which provide the basis of the federal budget; and

BE IT FURTHER RESOLVED that the military budget be reduced by 30 billion dollars each year for the next five years; and

BE IT FURTHER RESOLVED that these savings be used to assist employers in converting from military to peace-time production; providing federal aid to states, counties, cities, and towns as was done in prior years; and to meet human needs; health care, education, housing, full employment, transportation, and restoring and protecting our environment; and

BE IT FURTHER RESOLVED that the Town Clerk communicate this resolution to our Representative and Senators in Congress, Governor Weld, and President Bush.

LEVERETT
RESIDENTS
ONLY

TEN SIGNATURES

- ✓ Jim Perkins forty nine Richardson Rd. Leverett
- ✓ Eric Kolby 49 Richardson Road, Leverett
- ✓ Tom Nelson 81 Long Plain Rd., Amherst, (LEVERETT RESIDENT)
- ✓ John H. Foster 21 East Leverett Rd.
- ✓ Cynthia Robinson 177 Long Plain Rd., Leverett, MA 01054
- ✓ James Chyons 21 Teawaddle Hill Rd Leverett ma 01054
- ✓ Phil Hall 100 Jackson Hill Rd, Leverett, ma.
- ✓ Glen Ayers 91 Long Hill Rd. Leverett MA 01054
- ✓ Jennifer Dwyer 4 Sprinkle Rd Leverett, Ma 01054
- ✓ Francis B. Burroughs 4 Sprinkle Rd Leverett

Paula Green

49 Richardson St. Levaett

10 Registered Voters
D. Kelly, Town Clerk



TOWN OF LEVERETT
Massachusetts 01054



TOWN OF LEVERETT
Massachusetts 01054

May 15, 1992

Governor William Weld
State House
Boston, MA 02133

May 15, 1992

Representative John Oliver
United States House of Representatives
Washington, D.C.

Dear Governor Weld,

On April 25, 1992 the Annual Town Meeting of the Town of Leverett, Massachusetts unanimously passed the following resolution:

Dear Representative Oliver,

On April 25, 1992 the Annual Town Meeting of the Town of Leverett, Massachusetts unanimously passed the following resolution:

WHEREAS since the cold war has ended and the Soviet Union has expired; and
WHEREAS this means military expenditures can be drastically reduced.
THEREFORE BE IT RESOLVED that the military budget be reduced by 30 billion dollars each year for the next five years; and
BE IT FURTHER RESOLVED that these savings be used to assist employers in converting from military to peace-time production; providing federal aid to states, counties, cities, and towns as was done in prior years; and to meet human needs; health care, education, housing, full employment, transportation, and restoring and protecting our environment; and
BE IT FURTHER RESOLVED that the Town Clerk communicate this resolution to our Representatives and Senators in Congress, Governor Weld, and President Bush.

WHEREAS since the cold war has ended and the Soviet Union has expired; and
WHEREAS this means military expenditures can be drastically reduced.
THEREFORE BE IT RESOLVED that the military budget be reduced by 30 billion dollars each year for the next five years; and
BE IT FURTHER RESOLVED that these savings be used to assist employers in converting from military to peace-time production; providing federal aid to states, counties, cities, and towns as was done in prior years; and to meet human needs; health care, education, housing, full employment, transportation, and restoring and protecting our environment; and
BE IT FURTHER RESOLVED that the Town Clerk communicate this resolution to our Representatives and Senators in Congress, Governor Weld, and President Bush.

Sincerely,

D'Ann Sauer Kelly
D'Ann Sauer Kelly
Town Clerk

Sincerely,

D'Ann Sauer Kelly
D'Ann Sauer Kelly
Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

May 15, 1992

Senator Edward M. Kennedy
United States Senate
Washington, D.C.

Dear Senator Kennedy,

On April 25, 1992 the Annual Town Meeting of the Town of Leverett,
Massachusetts unanimously passed the following resolution:

WHEREAS since the cold war has ended and the Soviet Union has expired;
and
WHEREAS this means military expenditures can be drastically reduced.
THEREFORE BE IT RESOLVED that the military budget be reduced by 30
billion dollars each year for the next five years; and
BE IT FURTHER RESOLVED that these savings be used to assist employers
in converting from military to peace-time production; providing federal aid
to states, counties, cities, and towns as was done in prior years; and to
meet human needs; health care, education, housing, full employment,
transportation, and restoring and protecting our environment; and
BE IT FURTHER RESOLVED that the Town Clerk communicate this resolution
to our Representatives and Senators in Congress, Governor Weld, and
President Bush.

Sincerely,

D'Ann Sauer Kelty
D'Ann Sauer Kelty
Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

May 15, 1992

Senator John Kerry
United States Senate
Washington, D.C.

Dear Senator Kerry,

On April 25, 1992 the Annual Town Meeting of the Town of Leverett,
Massachusetts unanimously passed the following resolution:

WHEREAS since the cold war has ended and the Soviet Union has expired;
and
WHEREAS this means military expenditures can be drastically reduced.
THEREFORE BE IT RESOLVED that the military budget be reduced by 30
billion dollars each year for the next five years; and
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in converting from military to peace-time production; providing federal aid
to states, counties, cities, and towns as was done in prior years; and to
meet human needs; health care, education, housing, full employment,
transportation, and restoring and protecting our environment; and
BE IT FURTHER RESOLVED that the Town Clerk communicate this resolution
to our Representatives and Senators in Congress, Governor Weld, and
President Bush.

Sincerely,

D'Ann Sauer Kelty
D'Ann Sauer Kelty
Town Clerk



TOWN OF LEVERETT
Massachusetts 01054



TOWN OF LEVERETT
Massachusetts 01054

May 15, 1992

Avril Elkort, President
Massachusetts Selectmen's Association
Sixty Temple Place
Boston, MA 02111

Dear Mr. Elkort,

On April 25, 1992 the Annual Town Meeting of the Town of Leverett voted unanimously to adopt the following resolution:

BE IT RESOLVED THAT THE TOWN OF LEVERETT CALLS UPON THE LEGISLATURE TO ANNUALLY APPROPRIATE AND FULLY DISTRIBUTE THE LEGALLY REQUIRED 15% OF GAS TAX RECEIPTS TO CITIES AND TOWNS, FOR THE CONSTRUCTION, MAINTENANCE, AND POLICING OF LOCAL ROADS.

Very truly yours,

D'Ann Sauer Kelly
D'Ann Sauer Kelly
Town Clerk

May 15, 1992

Representative Carmen Buell
State House
Boston, MA 02133

Dear Carmen,

On April 25, 1992 the Annual Town Meeting of the Town of Leverett voted unanimously to adopt the following resolution:

BE IT RESOLVED THAT THE TOWN OF LEVERETT CALLS UPON THE LEGISLATURE TO ANNUALLY APPROPRIATE AND FULLY DISTRIBUTE THE LEGALLY REQUIRED 15% OF GAS TAX RECEIPTS TO CITIES AND TOWNS, FOR THE CONSTRUCTION, MAINTENANCE, AND POLICING OF LOCAL ROADS.

Very truly yours,

D'Ann Sauer Kelly
D'Ann Sauer Kelly
Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

May 15, 1992

Senator Stan Rosenberg
State House
Boston, MA 02133

Dear Stan,

On April 25, 1992 the Annual Town Meeting of the Town of Leverett voted unanimously to adopt the following resolution:

BE IT RESOLVED THAT THE TOWN OF LEVERETT CALLS UPON THE LEGISLATURE TO ANNUALLY APPROPRIATE AND FULLY DISTRIBUTE THE LEGALLY REQUIRED 15% OF GAS TAX RECEIPTS TO CITIES AND TOWNS, FOR THE CONSTRUCTION, MAINTENANCE, AND POLICING OF LOCAL ROADS.

Very truly yours,

D'Ann Sauer Kelly
D'Ann Sauer Kelly
Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

May 15, 1992

Governor William Weld
State House
Boston, MA 02133

Dear Governor Weld,

On April 25, 1992 the Annual Town Meeting of the Town of Leverett voted unanimously to adopt the following resolution:

BE IT RESOLVED THAT THE TOWN OF LEVERETT CALLS UPON THE LEGISLATURE TO ANNUALLY APPROPRIATE AND FULLY DISTRIBUTE THE LEGALLY REQUIRED 15% OF GAS TAX RECEIPTS TO CITIES AND TOWNS, FOR THE CONSTRUCTION, MAINTENANCE, AND POLICING OF LOCAL ROADS.

Very truly yours,

D'Ann Sauer Kelly
D'Ann Sauer Kelly
Town Clerk



TOWN OF LEVERETT
Massachusetts 01054



TOWN OF LEVERETT
Massachusetts 01054

May 15, 1992

Jay DiPucchio, County Administrator
Franklin County Commission
Court House 425 Main Street
Greenfield, MA 01301

Dear Mr. DiPucchio,

On April 25, 1992 the Annual Town Meeting for the Town of Leverett voted on the following warrant article:

Article Seventeen: To see which of the following two procedures (a) or (b) the Town chooses for selecting its representative(s) to the county legislative body if the Franklin County Charter is approved at the November 3, 1992 election:
(a) the town representative(s) to County Town Meeting shall be appointed by the Board of Selectmen, or
(b) the town representative(s) to the County Town Meeting shall be elected by the town's registered voters.

The following motion was made, seconded and carried:

I move that the town elect its representative(s) to the county legislative body if the Franklin County Charter is approved at the November 3, 1992 election.

Very truly yours,

D'Ann Sauer Kelly
D'Ann Sauer Kelly
Town Clerk

May 15, 1992

President George Bush
The White House
Washington, D.C.

Dear President Bush,

On April 25, 1992 the Annual Town Meeting of the Town of Leverett, Massachusetts unanimously passed the following resolution:

WHEREAS since the cold war has ended and the Soviet Union has expired; and
WHEREAS this means military expenditures can be drastically reduced,
THEREFORE BE IT RESOLVED that the military budget be reduced by 30 billion dollars each year for the next five years; and
BE IT FURTHER RESOLVED that these savings be used to assist employers in converting from military to peace-time production; providing federal aid to states, counties, cities, and towns as was done in prior years; and to meet human needs; health care, education, housing, full employment, transportation, and restoring and protecting our environment; and
BE IT FURTHER RESOLVED that the Town Clerk communicate this resolution to our Representatives and Senators in Congress, Governor Weld, and President Bush.

Sincerely,

D'Ann Sauer Kelly
D'Ann Sauer Kelly
Town Clerk

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

TOWN OFFICERS ELECTED

Town of LEVERETT

In accordance with the requirements of the General Laws, I certify that the following persons were elected to town officers at the annual town election held on April 25, 1992

(date of election)

Town Clerk D'Ann S. Kelty

Return immediately after town election to the Secretary of State, Elections Division, Room 1705, McCormack Building, 1 Ashburton Place, Boston, MA 02108.

OFFICE	NAME	TERM EXPIRES
Assistant Moderator	Richard M. Howland	1993
Auditor	Steven Nagy	1993
Selectman	Fenna Lee Bonsignore	1995
Board of Health	Matthew Corcoran	1995
Assessor	Donald Robinson	1995
Town Clerk	D'Ann Kelty	1995
School Committee	Elizabeth Caldwell	1995
Finance Committee	Robert Stachowiak	1995
" "	Edith Field	1995
" "	Richard Roberts Jr.	1994
" "	Steven Smidowicz	1993
Library Trustee	Robin Levine	1995
" "	Elaine Barker	1995
" "	Christopher Condit	1993
Planning Board	Robert Hursh	1997
Constable	Carlyle Field	1995
Tree Warden	William Stratford	1993

City/Town: LEVERETT

Date of close of registration: April 4, 1992

TOWN: LEVERETT

BOARD OF SELECTMEN

BOARD OF SELECTMEN

TERM EXPIRES

Chairperson: Fenna Lee Bonsignore

1995

Donald L. Gibavic

1993

Alice J. Rarig

1994

1

TOWN CLERK: D'Ann S. Kelty

1995

Town Clerk's
Business Phone 413-548-9150 Home Phone: 413-548-9797

Clerk's FAX # or
other town office FAX #: n.a.

If Town Clerk is elected this year, name of individual elected:

D'Ann Keltz

Term expires 1995Home Phone: same as above

Signed by William S. Helms
Town Clerk

Please return to the Secretary of State
Elections Division
Room 1705
One Ashburton Place
Boston, MA 02108

617-727-2826 or 1-800-462-8683

TO FAX: 617-742-3238

CITY OR TOWN CLERK OR ELECTION COMMISSIONER

Alfred S. Kelly

Please return this form within 15 days after the election to the Secretary of State, Elections Division, Room 1705, One Ashburton Place, Boston, MA 02108.

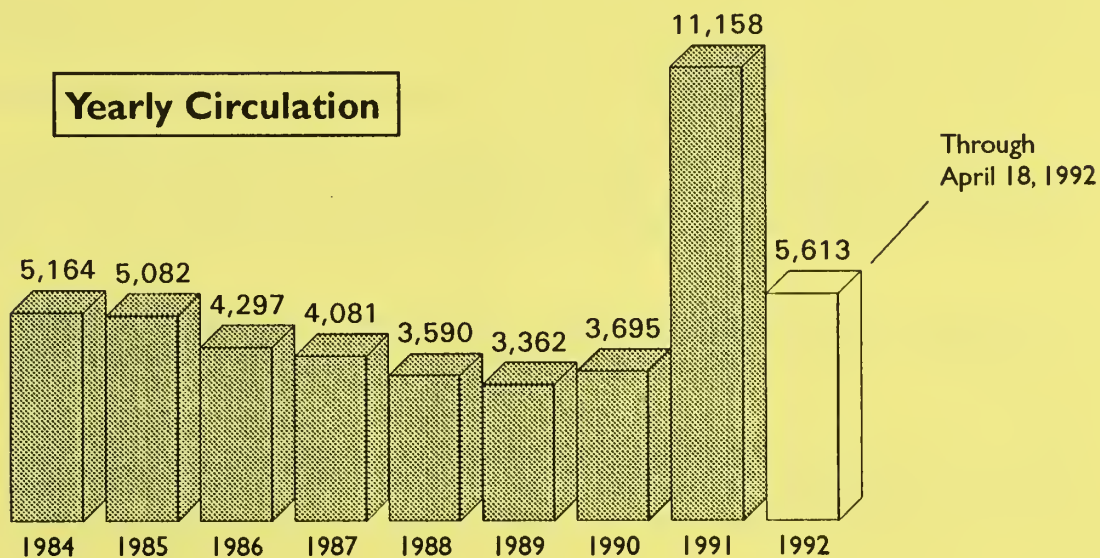
FORN. E-100/E-102

DOC:Townoff
11/90

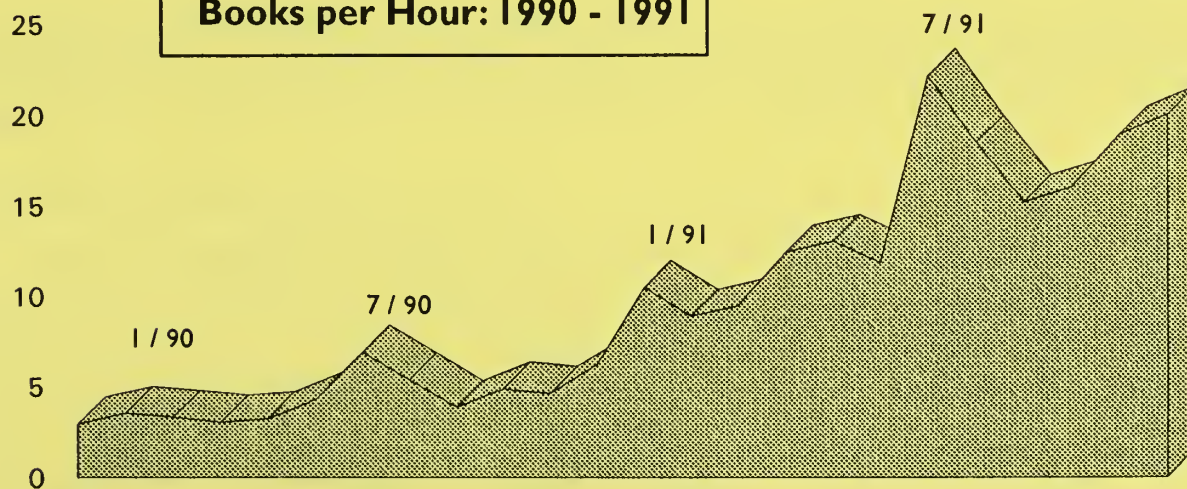
11/90

Bradford M. Field Memorial Library Leverett, Mass.

Yearly Circulation



Books per Hour: 1990 - 1991



April 10, 1992

To: Leverett Citizens

From: Gus Sayer, Superintendent of Schools

Re: FY93 Budget Proposals for Regional Schools

BUDGET PRIORITIES

The budget priorities of the Regional School District continue to be:

Instructional programs -- In developing the budget proposal highest priority has been given to maintaining the quality of the instructional program. This includes maintaining class sizes in the low 20's in most courses.

Multicultural education -- Our strong commitment to this priority is maintained by not reducing any of the resources that support the goals of Becoming a Multicultural School System.

Special needs, ESL and TBE -- Resources to support students with special needs and those with limited-English proficiency are maintained in the budget, but will be stretched more thinly as these populations continue to grow in our schools.

Richness of offerings -- The proposed budget maintains the breadth of the curriculum.

Building Maintenance -- The schools have not fully met the maintenance needs of buildings in the past and are beginning to experience significant problems as a result. The Regional budget provides for increased attention to maintenance needs especially as they relate to air quality.

The Regional budget also includes support for a new internal suspension program at the Junior High and High School. This will provide administrators with a constructive alternative for handling the inappropriate behavior of some students.

PROJECTED ENROLLMENTS AND SPACE NEEDS

The most important factor that drives the school budgets is student enrollment. Secondary school enrollments obviously will be affected by the larger classes that are working their way through the elementary schools. Regional enrollments declined through the 1980's, levelling off at 1500 students in 1990 and 1991. We anticipate a jump to 1563 students next October as enrollments begin to climb again. Again this year the budget does not include additional staff to meet the needs of these students. The next enrollments will be absorbed in existing classes. This will probably not be possible in future years.

The Region has appointed a Regional Building Needs Committee to evaluate the long-range space needs of the secondary schools. Based on a report from that committee, the School Committee requested a feasibility study for additions to the Junior High and High School. That study will be presented to the School Committee in April and further steps considered at that time. Projections for Regional enrollment growth during the remainder of the decade are for an increase from the current 1500 students to more than 2300 students.

BUDGET PROPOSAL

Regional Schools

The Regional School Committee has approved an FY93 budget of \$11,791,058. This is 1.1% lower than the FY92 approved budget.

The decrease in budget occurs for three reasons: (1) the absence of funding for possible negotiated salary increases, (2) the fact that the Regional schools are operating below their approved budget in the current fiscal year (this became necessary when we learned last summer that State Aid to the Region would be reduced by about \$140,000 and that Special Education out-of-district costs would rise by \$40,000 -- this year's savings are built into the FY93 budget), and (3) reductions of \$135,000 from the Superintendent's level services budget proposal.

Most of the Regional budget reductions come through savings rather than program reductions. That this is possible is fortunate because the Regional budget has endured more than \$1,5000,000 in budget reductions over the past three years. To provide greater revenue to the schools, the School Committee has increased fees for athletics and tuition for the Child Study Pre-School classroom.

Regional assessments to the Town of Leverett depend upon several factors: Amherst's percentage of total enrollment in the Junior High and High School, State Aid, interest and other revenues, and any funds that can be applied from the Region's Excess and Deficiency account. The budget proposal assumes that educational aid to the Region will be level-funded as the Governor has promised. Leverett's FY93 assessment is \$551,952, a decrease of .5% from FY92.

EDUCATIONAL REFORM

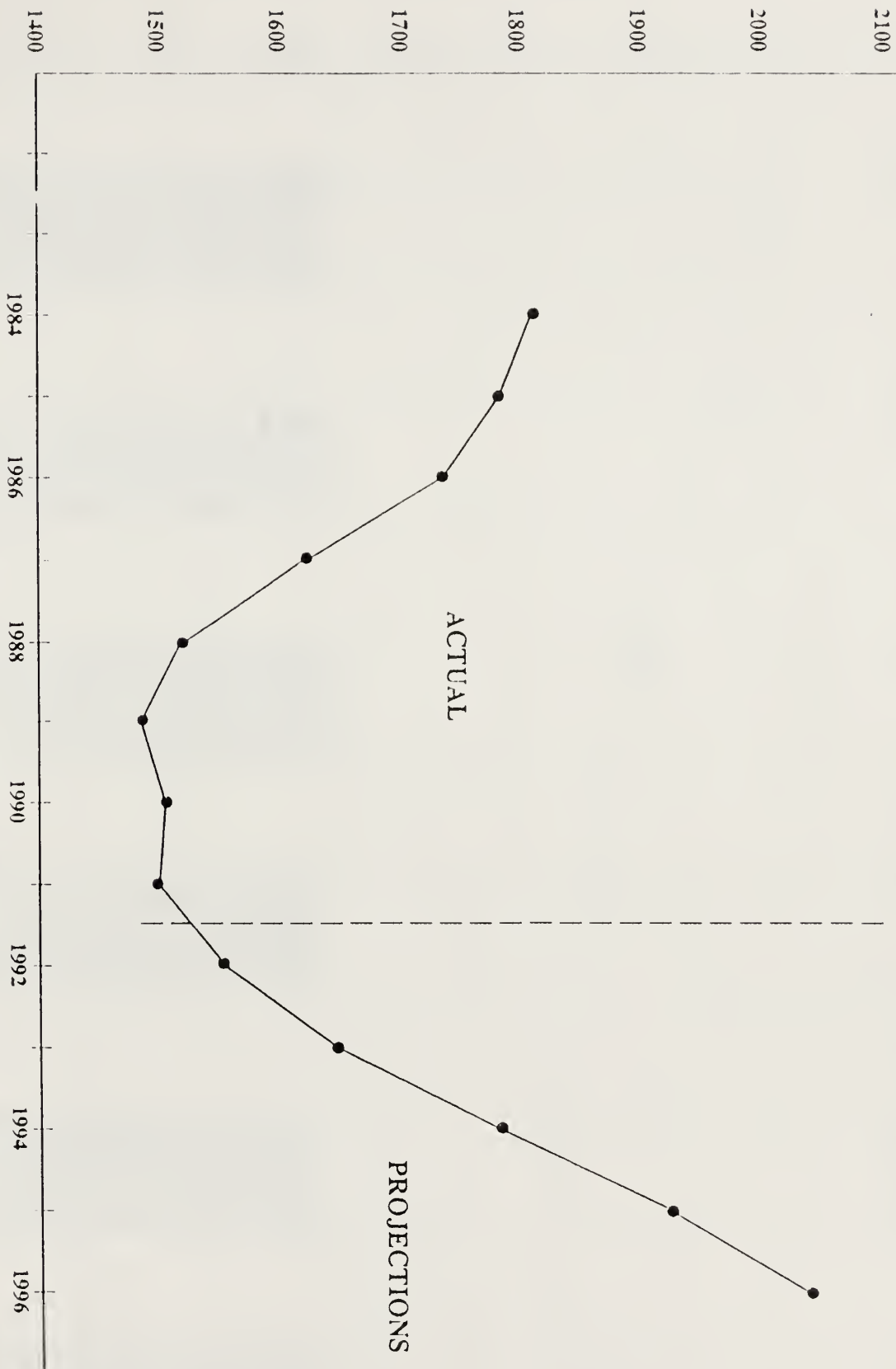
The next few weeks could well be a turning point for K-12 education in Massachusetts. The Educational Reform legislation that currently is working its way through committee will restructure State funding of education as well as place new requirements upon communities for maintaining the quality of their educational programs. The consequences to Leverett are unclear at this time. Because the Town already spends above the State average for education, it is likely to see little of the proposed \$800,000,000 of State aid that the Governor says he will pump into K-12 education in the next four years. On the other hand, access to any State aid may be dependent upon maintenance of local fiscal effort. In brief, the economic thrust of the reform legislation is to upgrade spending for education in poorer communities and communities that have been reluctant to support education in the past while at least maintaining the level of support in other communities.

The FY93 budget proposal from the Regional School Committee is responsive to local fiscal parameters as they have evolved over the past several months. Because important details of the proposed legislation have not been released yet and, when they are, will still need to be debated in the House and Senate, the proposed budget does not take into account any new requirements that might be imposed as early as FY93 as part of educational reform. For example, at least one version of the reform package would require that every school district spend at least 2.5% of its budget on professional development. There may also be requirements to maintain spending levels on a per pupil basis, a major requirement in towns like ours where there is a rapidly growing school-aged population.

BACKGROUND INFORMATION AND ADDITIONAL DATA

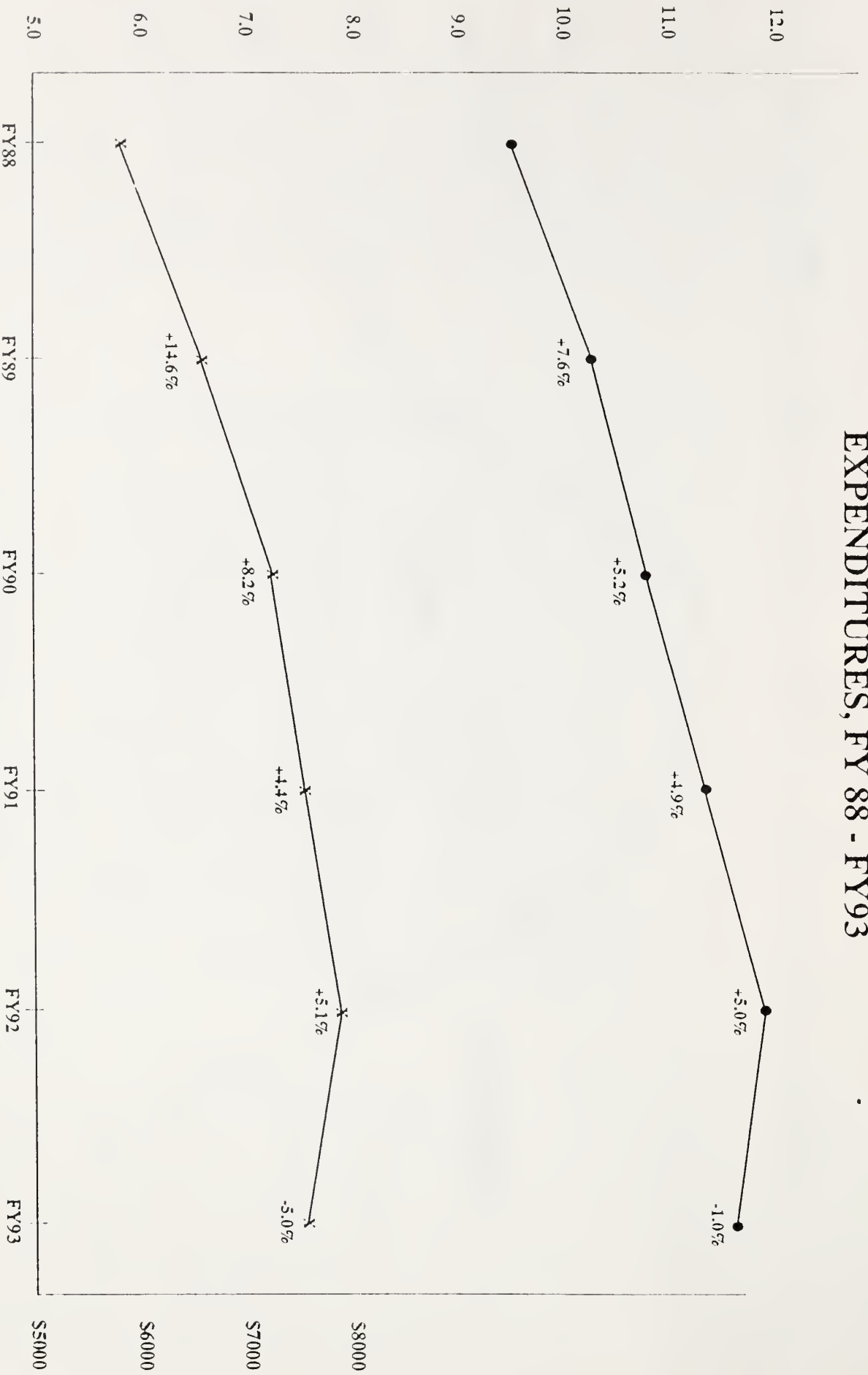
We attach additional information and data about the FY93 Regional budget proposal.

AMHERST - PELHAM REGIONAL SCHOOLS ENROLLMENTS 7-12



OCTOBER 1 ENROLLMENTS

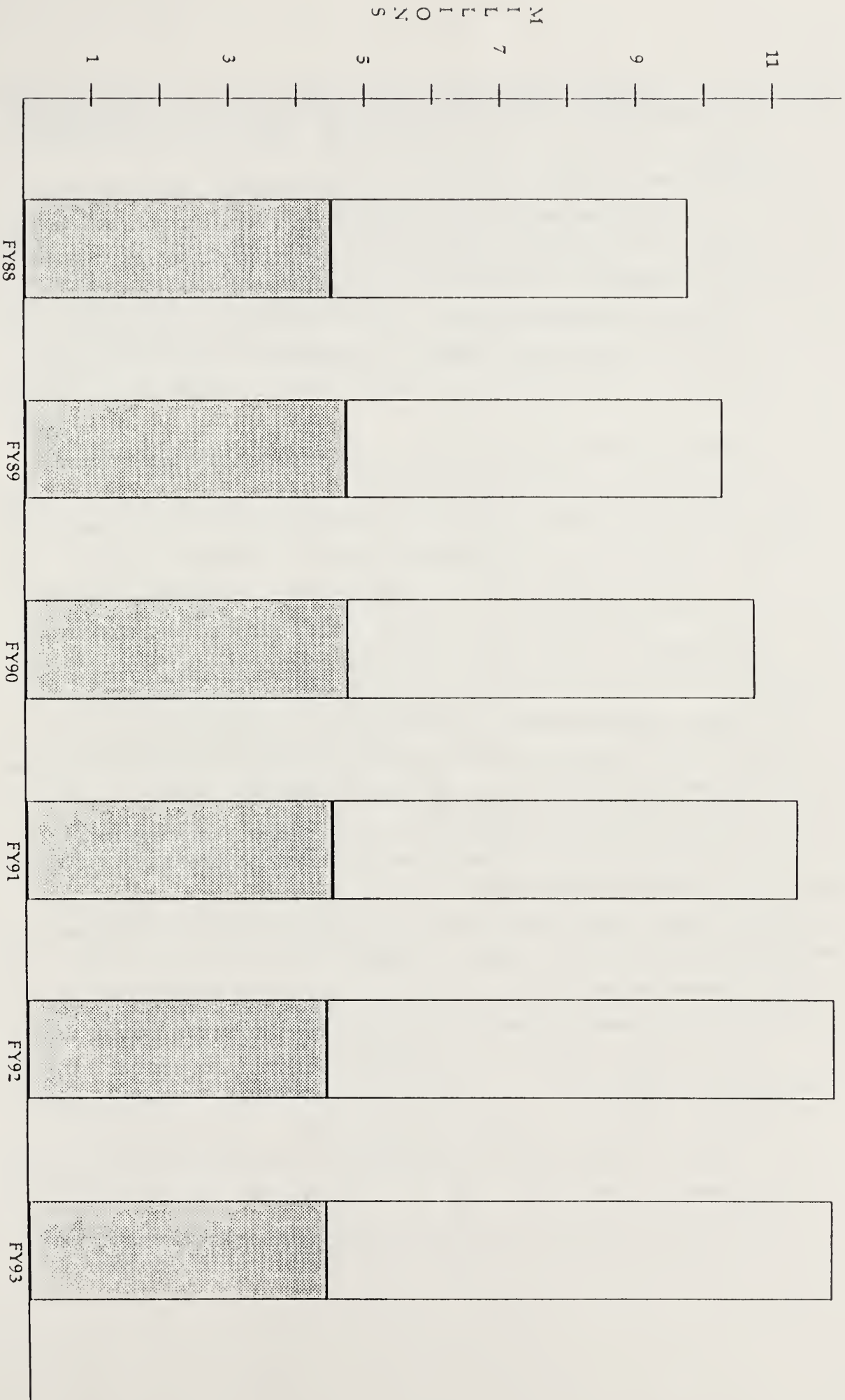
AMHERST- PELHAM REGIONAL SCHOOLS EXPENDITURES, FY 88 - FY93



AMHERST - PELHAM REGIONAL SCHOOLS

FY88 - FY93

STATE AID vs LOCAL AID



STATE AID

LOCAL AID

BACKGROUND ON 1992 ARTICLES NINE,TEN, ELEVEN AND TWELVE (Having to do with Elementary School Improvements)

Articles Nine through Twelve on the 1992 Annual Town Meeting Warrant have to do with the elementary school heating system, handicapped accessibility, and water supply, and the reallocation of funding from previous projects to these activities. Because of strict rules governing borrowing and use of funds authorized for specific purposes, the town is responsible for approving projects that are different from those that were originally authorized by town meeting vote.

First, regarding **Article Nine**, two years ago (1990) the town approved borrowing \$125,500 for various improvements in the school including work on the ventilation system, fuel tank removal, etc. Most of the projects included in the authorization have been completed, and the School Committee has certified that it will make no more expenditures under the original article. The balance of \$10,515 has been borrowed and thus constitutes "available funds," however these funds are available to be spent only on projects that would be eligible for the same type of long-term borrowing. Heating system repairs are urgently needed, but were not covered by the language of the original article, so School Committee (supported by the other towns boards that have considered the issue) is proposing **Article Nine** to permit the balance of the borrowed funds to begin heating system repairs.

One project from the earlier capital improvements borrowing that was not completed was the installation of an egress door. **Article Ten** on the current warrant requests funding for this as part of the first phase of an integrated planning and construction program to begin making the school accessible to the handicapped, pursuant to federal and state law. **Article Ten** would authorize borrowing for a design phase so that corridor, egress and elevator installation will be planned and executed in a coordinated way. **Article Ten**, requesting a total of \$15,500, would include funding for construction of the corridor and egress door, curb cuts and other related work. At fall town meeting we expect to request authorization to borrow funds for the elevator installation;

funding amounts for the elevator can only be estimated realistically after a design phase.

Articles Eleven and Twelve request changes in authorization to borrow funds for water supply system improvements at the elementary school. Last year, Town Meeting authorized borrowing of \$192,500 to obtain modular classrooms and drill a new well for the school as required by the state. The portion of the funds expected to be used for the new well has not yet been borrowed, and negotiations with state agencies have resulted in assurances that certain improvements in the existing water supply system will be an acceptable alternative to a new well. **Article Twelve** requests \$20,000 funding for the water system improvements which were not provided for under the wording of last year's article, and **Article Eleven** would reduce the original 1991 article by \$65,000 for the well.* If Town Counsel recommends it, we may on the floor of Town Meeting move to combine **Articles Eleven and Twelve** to simply reduce the 1991 authorization by \$45,000 instead of \$65,000 and authorize the balance to be used for upgrading the current water system.

In summary, **Article Nine** adds no new borrowing and has no effect on the tax rate. **Article Ten** would authorize borrowing of \$15,500, and will require a "Debt Exclusion Override" to be passed by a majority of voters at a special election scheduled for **June 20, 1992**. This means that the amount to be borrowed will not become a permanent part of our levy base which determines the amount we are able to tax ourselves under proposition 2 1/2. Likewise, if we pass **Article Twelve** as shown on the warrant, we will need a Debt Exclusion Override vote in June for \$20,000 for the water system upgrading to replace the previously voted debt exclusion override for the new well. The combined effect of the articles (whichever way they are phrased) will be to borrow \$35,500 instead of the \$65,000 we expected to be borrowing at this time for a new well.

AJR

* The well was expected to require \$70,000, and the balance of the 1991 article was to cover the purchase and installation of the modular classrooms. The modular classrooms required modifications during and after installation, some of which the town may have to cover, so \$5,000 is being reserved from the original article to cover the town's potential liabilities for these expenses.

"Surrey" Transportation Service Questionnaire

The "senior surrey" PVTA van service currently comes to Leverett one day a week -- Tuesdays -- providing transportation into Amherst, Northampton and Greenfield for people at least 60 years of age or differently-abled. It could be made available to everyone, with priority still going to seniors and differently-abled people, and service could be expanded to another day of the week, if there is interest and financing.

We would like to know if YOU or household members, of any age and ability, would like access to the van service on another day of the week, such as Friday. We also want to know what schedule would be most helpful and convenient.

We need to know what people in Leverett need and want, in order to develop a proposal for expanded van service. Please help us by answering the following questions returning this form to the box marked "Transportation Survey."

* * * * *

Part 1: for Seniors and Differently-abled Residents

1. Do you currently use the "senior surrey:"

never ____ occasionally ____ regularly ____
(1-4 times a year) (more than 4 times a year)

2. Would you like to have the surrey available on another day of the week?

Yes ____ No (or don't care) ____

3. Several possible schedules have been suggested. Please indicate your level of interest:

Option A. Friday trips mid-day from home to meal site and return.

Would you be likely to use this option (A):

never ____ occasionally ____ regularly ____
(1-4 times a year) (more than 4 times a year)

Option B. Friday, same as current Tuesday schedule, including pick-up at home or designated place mid-morning, returning from Amherst or Greenfield mid-afternoon.

Would you be likely to use this option (B):

never ____ occasionally ____ regularly ____
(1-4 times a year) (more than 4 times a year)

Option C. Friday full or half-day trip schedule, with early morning (8-9 a.m.) trip to Amherst or Greenfield, returning late morning or returning late afternoon.

Would you be likely to use this option (C):

never ____ occasionally ____ regularly ____
(1-4 times a year) (more than 4 times a year)

Please comment on preferences or give other suggestions:

* * * * *

* * * * *

**Part 2: "Surrey" Transportation Service Questionnaire:
for Non-Seniors and Non-Disabled Residents**

1. Would you like to have access to van service? Yes___ Don't care___
2. Please indicate if you would be interested in using it if were available at the following times:

Tuesdays: current schedule includes pick-up at home (or designated place) mid-morning, returning from Amherst or Greenfield (alternating weeks) mid-afternoon.

Would you be likely to use this option:

never___ occasionally___ regularly___
(1-4 times a year) (more than 4 times a year)

Fridays:

Option B. same as current Tuesday schedule, including pick-up at home or designated place mid-morning, returning from Amherst or Greenfield mid-afternoon.

Would you be likely to use this option:

never___ occasionally___ regularly___
(1-4 times a year) (more than 4 times a year)

Option C. Friday, full or half-day trip schedule, with early morning (8-9 a.m.) trip to Amherst or Greenfield, returning late morning or returning late afternoon.

Would you be likely to use this option:

never___ occasionally___ regularly___
(1-4 times a year) (more than 4 times a year)

3. Would you be interested in taking the van to Amherst?___
or Greenfield?___ other location (specify)? _____

4. Please give us your thoughts about what kind of public transportation you would be interested in having available in Leverett, especially specific ideas regarding ways to make the van service useful to you and your household:

* * * * *

Prepared by the Ad Hoc Committee on Expanding Public Transportation in Leverett (Alice Rarig, Leverett Rep. to PVTA Board; Mary Adams, Council on Aging; Sally Goldin, Loyce Dunbar, Klaus Kroner)

* * * * *

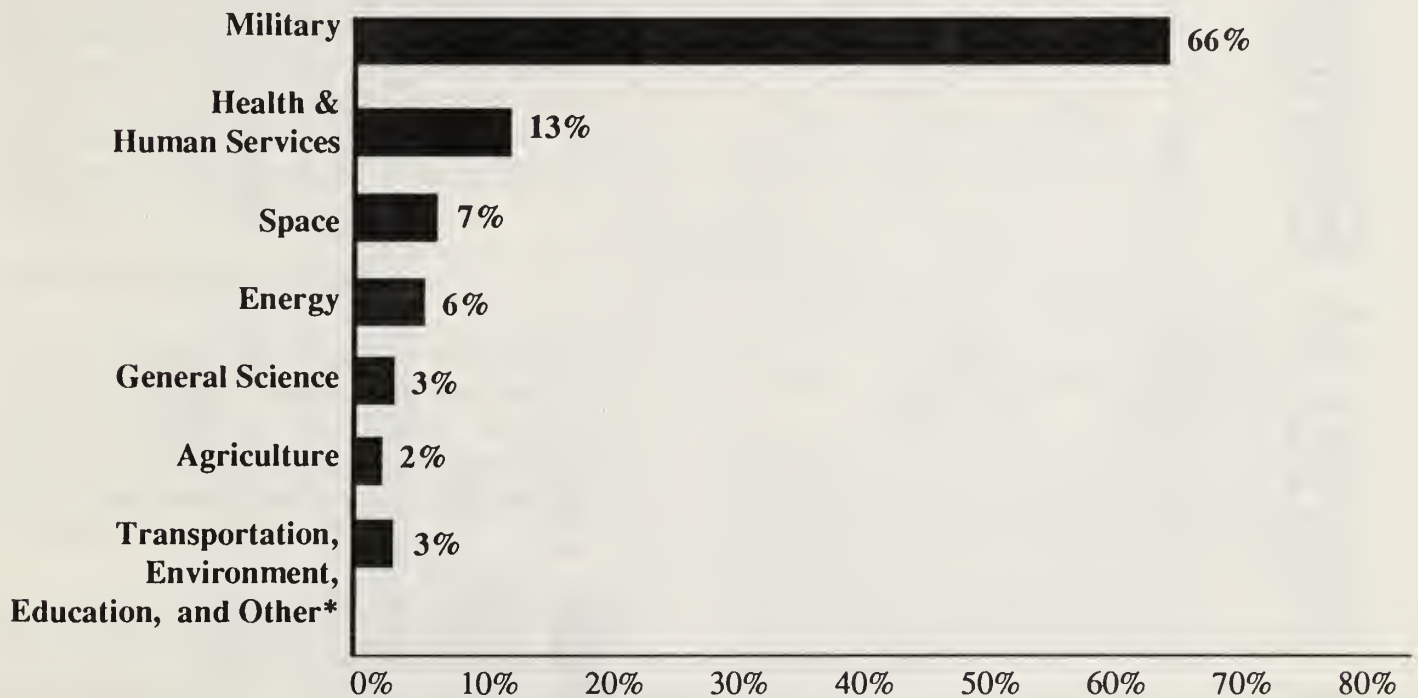
If you would like to get the results of this survey or want further information and progress reports, please let one of the committee members know or give your name and telephone number or address here:

name_____ / phone_____

INVESTING IN OUR FUTURE: BETTER WEAPONS OR A BETTER LIFE?

FACT SHEET NO. 2

Federal Spending for Research and Development in 1990



*Transportation 0.6%, Environment 1.5%, Education 0.2%, Other 0.7%.

**For Example, in 1989 Germany spent about 15% of its R&D funds for military purposes; Japan spent even less, about

How a nation chooses to spend its Research and Development (R&D) money mirrors its priorities. As you can see on the chart, instead of spending most of its R&D funds to create jobs, solve environmental problems, or find a cure for AIDS, our government has been busy building bigger bombs.

Other nations like Germany, Japan, France, and South Korea put only a fraction of their R&D money into the military,** while U.S. taxpayers foot a large portion of their military bills. Meanwhile, they invest in R&D for new cars, electronics, and goods produced in their own countries.

The result? There are fewer manufacturing jobs in the U.S. and domestic priorities get neglected. This means fewer paychecks, less services, and a decline in the quality of life for most Americans.

Our government must make a choice: Spend our tax money to build more weapons - or - Invest in a future of new civilian technologies, manufacturing, renewable energies, quality education, affordable health care, and a cleaner environment which creates more productive jobs and better lives for people.

Source: "Countdown on Military Research & Development, FY90," Calvert Foundation; "Congressional Action on Research & Development in the FY 1990 Budget," American Association for the Advancement of Science, 1990.

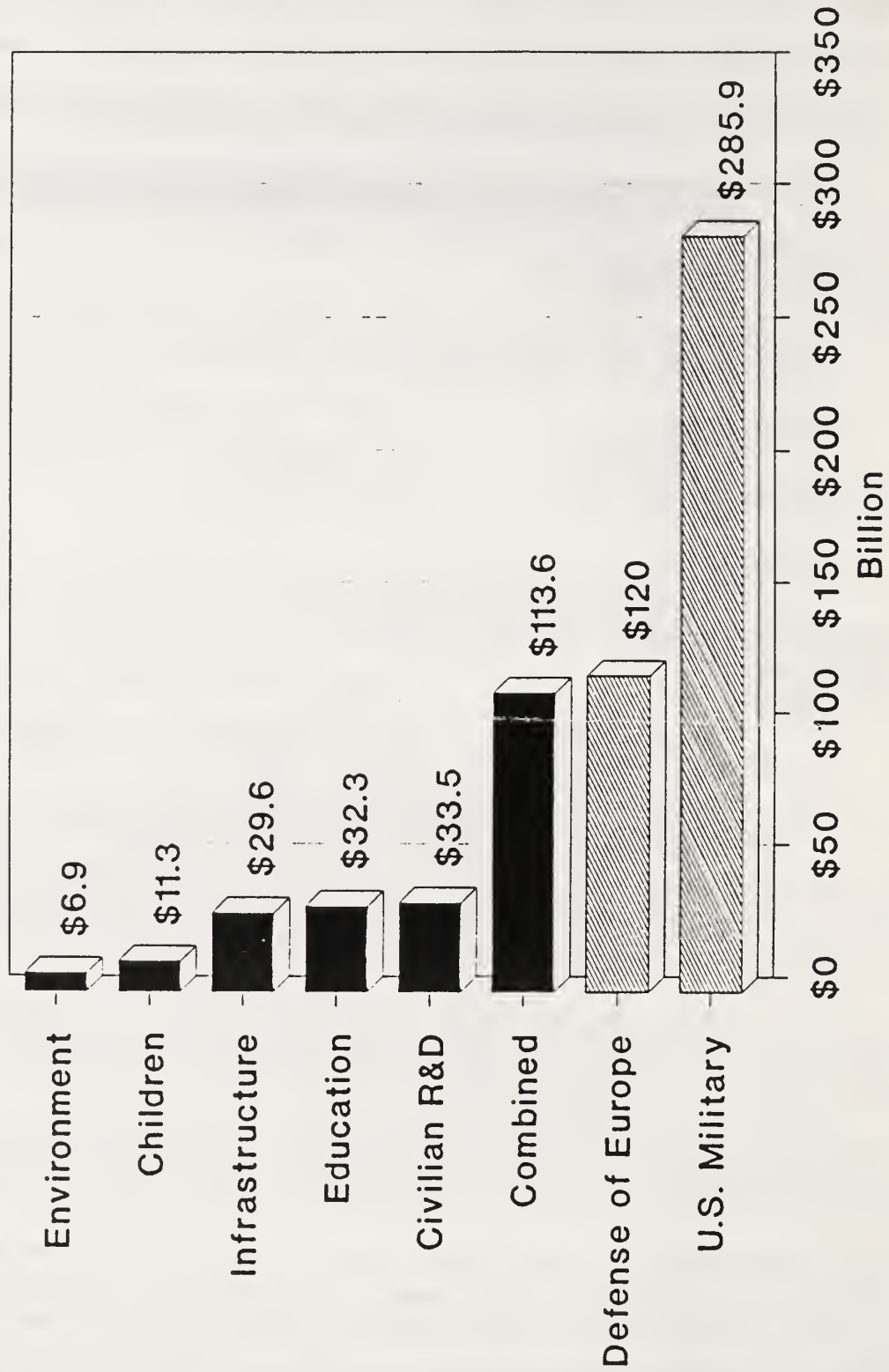
Prepared by the
Jobs with Peace Campaign for the
COMMON AGENDA COALITION

76 Summer Street, Boston, MA 02110
Tel: 617/338-5783 Fax: 617/451-6632

Local Contact:

Third Printing: March 1992

The FY 1993 Federal Budget



Source: The U.S. Budget FY 1993

SUPPORT THE CITIZEN'S BUDGET CAMPAIGN

We Need New National Priorities

Military Spending is Impoverishing Us

We are experiencing hard times. Jobs are scarce and often offer little satisfaction and low pay. Health care is not affordable. Homelessness is a reality for many, and a worry for many others. The schools are in trouble. We are 14th in spending on education per capita, and 19th in infant mortality. Young people see a bleak future for themselves. The environment is dangerously polluted and the military is the #1 polluter.

Militarism Degrades Us

We are becoming a fearful people who deny the suffering our collective behavior causes others and cannot remember our responsibility for future generations. The United States is number one in arms expenditures, arms sales, prisoners per capita and debts owed the United Nations.

How can we change our direction?

PASS THE CITIZENS BUDGET INITIATIVE

at our town meetings this spring and at the polls this November.

WHEREAS the priorities of the federal budget have a direct effect on the people of Western Massachusetts, and

WHEREAS since the cold war has ended and the Soviet Union has expired; and

WHEREAS this means military expenditures can be drastically reduced;

THEREFORE BE IT RESOLVED that the military budget be reduced by \$30 billion each year for the next five years; and

BE IT FURTHER RESOLVED that these savings be used to assist employers in converting from military to peace-time production; to provide federal aid to states, counties, cities, and towns as was done in prior years; to restore and protect our environment; and to meet human needs: health care, education, housing, full employment and transportation.

Vote on this resolution at your town meeting in most Franklin, Hampshire, and Berkshire County towns. Gather signatures on petitions so that it will appear on the ballot in November. Campaign for it in the summer and fall. This is just the beginning of a campaign to restore power into our own hands, and to begin to use our energy and genius to solve our formidable problems.



is for ARSENAL



WHAT TOOLS TO BUILD A FUTURE?



Working parents can't afford daycare, and a generation of children is growing up impoverished, neglected, and malnourished - yet your government continues to spend billions every year on a bloated military budget.

The building blocks of a kinder, gentler nation won't be found piled high in military warehouses, but today one half of YOUR tax dollars are devoted to military spending while children's programs like Head Start, lunch subsidies and school programs suffer.

With the freshness of a child's imagination, let us find a better way. It's time to redirect our spending from ballistics back to the basics.

Support the Campaign for a Citizens' Budget. We can - we must - divert tax dollars from military spending to economic conversion and human needs. You can help by getting involved.

HOW MUCH DO WE SPEND ON THE MILITARY?

More than other countries...

2

Per Capita Military Expenditure for Selected Countries, 1989



MILITARISM HAS DESTROYED THE SOVIET UNION, AND IT IS RUINING AMERICA AS WELL.

"When Americans understand that we spend 60% of federal research and development funds on the military — while Japan spends only 5%, they will understand why productivity, education, and public infrastructure are so much better there."

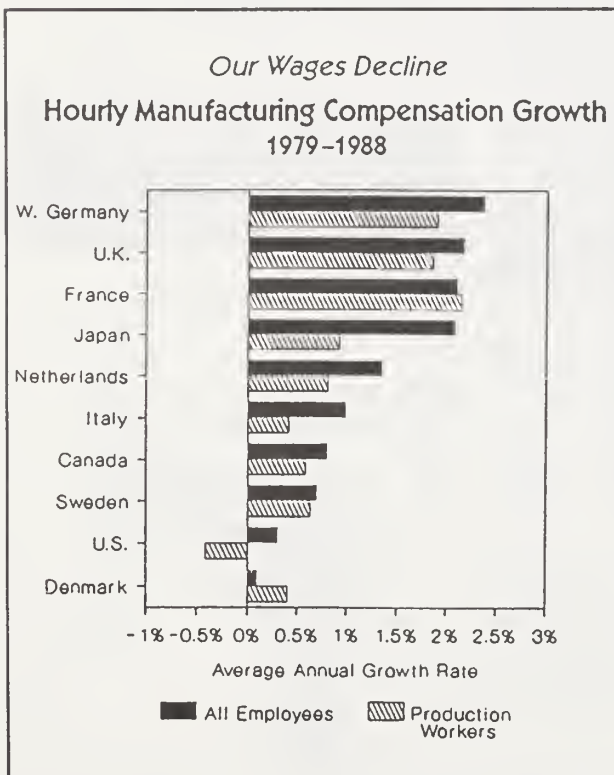
William Colby, former CIA director



"The neglect of human capital translates into the neglect of economic development, because it is on the human factor that society's growth ultimately depends. Major industrial countries with high rates of military expenditures are associated with low growth in productivity. For the superpowers the negative correlation is striking: the US, which has spent an average of 6.4% of GNP on the military since 1960, shows an annual rate of productivity growth of only 2.8%; the USSR, with an average 10.5% of GNP devoted to the military, had the lowest productivity growth rate of all, 2.4%; Japan, limited by its Constitution to spending no more than 1% of GNP on the military, had a growth rate of 7.8% in productivity."

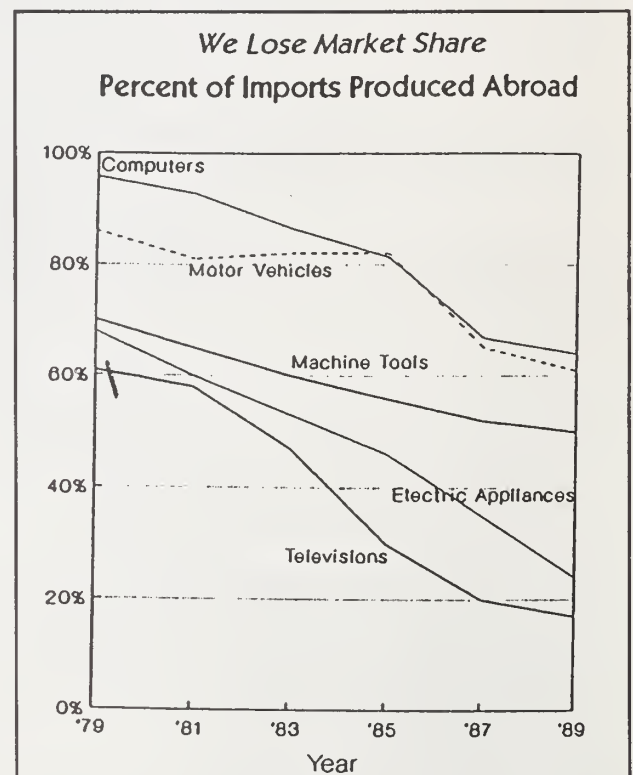
Ruth Sivard, World Military and Social Expenditures, 1991

As our productivity dropped, we lost competitiveness on the world markets, and wages declined.



"Every gun that is made, every warship launched, every rocket fired, signifies, in the final sense, a theft from those who hunger and are not fed, those who are cold and are not clothed."

Dwight D. Eisenhower



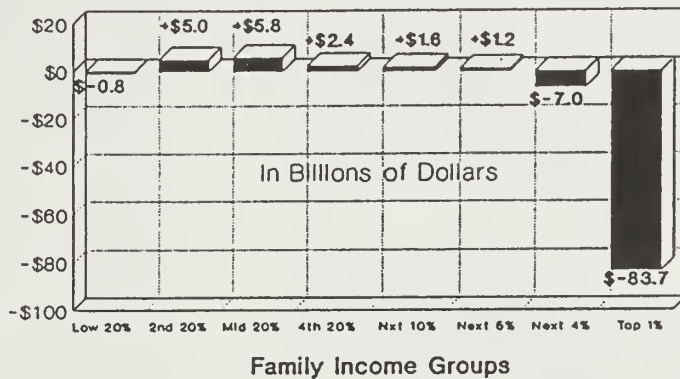
The federal deficit grew. Programs for people were cut. State and local governments were left with fewer resources and a greater burden of responsibility.

OUR TOWNS, CITIES AND STATES ARE IN TROUBLE BECAUSE OF OUR FEDERAL PRIORITIES

TAXES

The Rich Get Richer, Everyone Else Gets Poorer

Changes In Federal Taxes By Income Group, 1977-1992



Most of our tax dollars go to the federal government. Our towns, cities and states are in trouble because our tax money flows out of the towns and cities to Washington. The money gets spent on weapons, not on human services or our failing infrastructure.

GREENFIELD'S SHARE

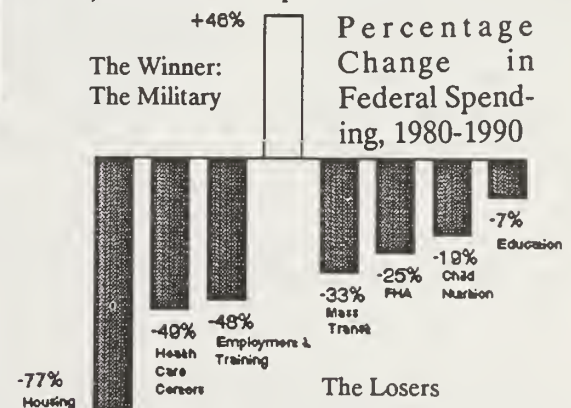
The total budget for the Town of Greenfield, 1992	\$23,390,000
Federal taxes paid by Greenfield residents, 1992	\$92,384,000
Total School Budget, Town of Greenfield, 1992	\$9,717,000
Greenfield share of the cost of defending Europe, (NATO) 1992	\$12,322,000
Greenfield police and fire departments, total budget, 1992	\$2,287,000
Greenfield share of the interest on the National debt	\$18,719,000

What is Economic Conversion? What Does it Take?

Economic conversion means changing from a war economy to a peace economy. Accomplishing conversion is the big challenge of our generation. We can have work at wages that pay the bills doing work in which we believe. We can consume less and live better quality lives. We need to think creatively and risk bold changes, to play together and care about each other, to act less from fear and more from love. Our happiness and freedom requires liberty and justice for all." Let us take responsibility and believe in our power to change society.

Conversion means more than retooling weapons factories. Conversion means remaking our industry and life styles with the needs of the planet in mind. Conversion is the work of planners, engineers, workers, householders, parents, educators, doctors and nurses. It is business, and it is also conversion in the spiritual sense of the word. We seek a greater love than love of self, a love for the planet and its creatures invigorates us to work for peace and justice.

The fear of losing jobs is employed to rally Americans behind a huge military budget. No provision has been made for the few thousand workers laid off from making arms and no thought is given to the victims of those arms. A brutal politics is being practiced for the benefit of wealthy elites and entrenched bureaucracies. It has nothing to do with patriotism or national security. Military production is not good for employment. Military spending produces less jobs per unit of money spent than any possible alternative. If we want to create jobs, let people work teaching the kids or tending the environment. We'll get more jobs and a more peaceful world.



During the decade of the 1980's, taxes on the wealthiest Americans were sharply cut, and military spending was dramatically increased. The national debt tripled, and interest became a major expense in the federal budget.

MEETING HUMAN NEEDS AND CREATING GOOD JOBS!

Education: Public schooling is built upon the ideals of freedom and equality. We want a public schools system that is up to the task of preparing children to be adults in the American society that is coming. We want them to have the skills, the conscience, and the self esteem to earn a living doing something useful, raise up a family (if they wish) make a contribution to the common good, and experience some joy, freedom, and creativity in their lives. Our schools should be a matter of pride to the community, the place where we would take a visitor from another country to visit. Money invested in schools creates far more jobs than money invested in weapons. Work raising and educating the next generation is more useful and satisfying than building the next generation of nuclear weapons.

Environment: During the last 300 or so years, we humans have developed a bad attitude towards the planet we inhabit. We act as if it were a consumer item to be used and used up however we wish. We are learning that an image of Earth as mother is more useful, that if we treat her well we will be happier, and if we murder her, we will commit suicide. There is work for engineers, scientists, managers, laborers, now preparing war. They can make the conversion to non-polluting forms of energy production and use. There is work for all the armies of the world cleaning up and managing the toxic nightmare of nuclear and "conventional" waste. We could establish a new Civilian Conservation Corps to plant trees.

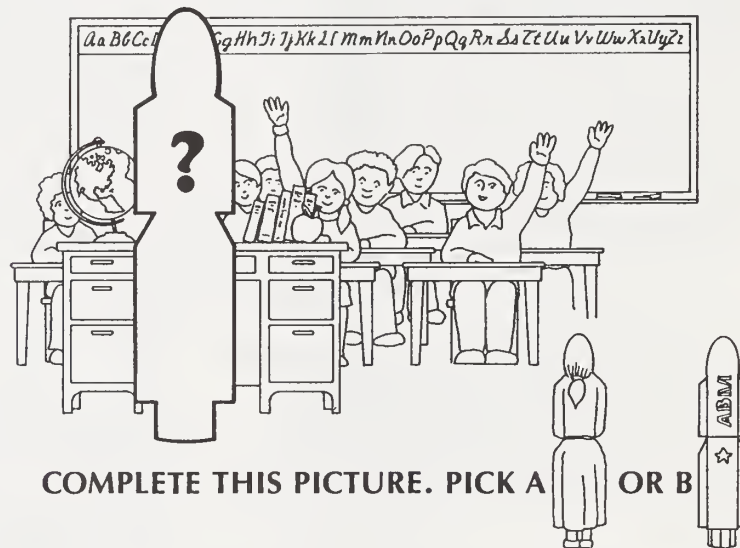
Health Care: Health Insurance, having it or not having it, figuring how to pay for it this year and next year, these have become major anxieties for most of us. We spend more money on health care than any other nation, but some of our statistics, such as infant mortality, are very poor. The cost of our system is totally out of control. The average per capita cost of health care in 1990 was \$2,425. It is expected to rise to \$5,525 by the

year, 2000. Some people are neglected by our system, while others are kept alive beyond their time and in spite of their desire to die consciously and with dignity because some institution has an interest in "keeping the bed full". We need to radically reform our health system. Doctors, nurses, administrators, all practitioners and employees of the health care system as well as people from outside the health system need to come together and do that work.

Housing: During the 1980's, Federal housing programs were cut by 70%. During this time, homelessness became a local and a national issue. The cost of houses rose sharply while incomes

for many actually declined. The situation for renters, especially low income renters became very much more difficult with many families spending one half, or two thirds of their income on rent. Property taxes rose as federal support for educational programs disappeared. Eighty percent of federal support for housing, mostly the tax deduction for property taxes and mortgage interest, went to the fifteen percent of families with incomes over \$50,000. The nation needs more housing, more affordable housing, and new patterns of housing that will encourage a shift away from gasoline powered automobile usage and towards more sustainable lifestyles. There

ABM or ABC



Who profits from good schools? Who profits from weapons? Are our political leaders more responsive to the needs of our children, or to those who pay for their political campaigns?

Our children grow up knowing all about MIRV, ABM, and ICBM, but less and less about ABC and the three R's.

The cost of just one nuclear missile could educate an entire small town of our children. It's YOUR tax money - where do you want it spent?

We need more smart children and fewer smart bombs. Support the Campaign for a Citizens' Budget. Redirect weapons spending to rebuild America and fund human needs.

Get involved and let your elected officials know how you feel.

is a tremendous number of jobs here!

Children: Are we willing to admit to the truth that we neglect our children? There is no clearer index of our national priorities than child welfare. Now, twenty-two percent of American children live below the federal poverty line, and 5.5 million are malnourished. Child neglect and abuse are epidemic. Even proven and popular programs like Headstart and WIC are underfunded, and many eligible children do not receive assistance. Job opportunities tending neglected children is a kinder, wiser investment than weapons. ☺

FRANKLIN COUNTY CHARTER
COMPARISON OF COUNTY GOVERNMENT AND PROPOSED CHARTER CHANGES

	Present County Government	Proposed Changes Under Charter
Legislative Body	26-member advisory board selectman or appointee weighted vote - valuation	32-member county town meeting representation (election or appoint.) determined by each town number of reps based on population weighted vote - population
Executive Body	3 county commissioners elected countywide for staggered 4 year terms	no change
Powers	exercise all powers of county government	exercise several additional powers: ability to contract, develop additional revenue sources, adopt county bylaws, initiative petition and referendum procedures
Financing	county assessment	county assessment; segregated for regional services
County Administrator	appointed by county commissioners	no change
County Officers Sheriff Register of Deeds Treasurer	elected elected elected	no change no change appointed
County Planning Board	advisory 70+ members	no change 38 members study planning functions and report to co town mtg in 2 years
Initiative Petition & Referendum Procedures	no	yes

SERVICES CURRENTLY PROVIDED BY THE COUNTY

PLANNING

County Planner

- local technical assistance (e.g., zoning, master plans, development issues, conflict resolution, grant writing assistance)
- environmental reviews
- writes and administers grants for variety of regional planning projects

Grant-Funded Planning Positions

- land & water resource planning and interns
- variety of land-use, environmental planning projects
- historic commission planning assistance
- transportation planning and traffic analysis
- hazardous waste disposal, rural advocacy

HUMAN SERVICES

Human Services Coordinator

- administers, facilitates and coordinates human services in the county
- oversees 19 human service agency contracts
- supervises Community Coalition for Teens
- serves as member of number of advisory boards, steering committees

Grant-Funded Human Services Positions

- teen pregnancy prevention project
- Turners Falls neighborhood services
- alcohol & drug abuse prevention coordination

MUNICIPAL ASSISTANCE

Municipal Assistance Coordinator

- general municipal assistance and coordination
- special projects (e.g., Solid Waste District start-up, Futures Committee, Charter Commission, Health Insurance Cooperative Issues)
- emergency medical communication systems grant management

ENGINEERING

County Engineer and Engineering Assistant

- county highway issues (statutory)
- assist towns with planning and design of local road projects
- technical assistance

PURCHASING

Purchasing Agent

- manages cooperative purchasing program for towns, districts, & county
- manages financial data systems for county
- assessor consulting

REASONS WHY LEVERETT NEEDS TO REPLACE ITS
SECOND CRUISER

- 1 OFFICER SAFETY : WE NEED A BACK UP VEHICLE IN SITUATIONS WHERE ADDITIONAL ASSISTANCE IS NEEDED AND OTHER TOWNS ARE NOT AVAILABLE. FOR EXAMPLE,
 - A DOMESTICS
 - B LARGE PARTIES
 - C ARRESTS
 - D ANY CALL THAT MIGHT REQUIRE ADDITIONAL OFFICERS

- 2 PUBLIC SAFETY : TO ENSURE THERE IS POLICE COVERAGE IN EMERGENCIES IN THE EVENT OUR CRUISER IS OUT OF SERVICE. FOR EXAMPLE,
 - A REPAIRS
 - B TIED UP ON OTHER CALLS

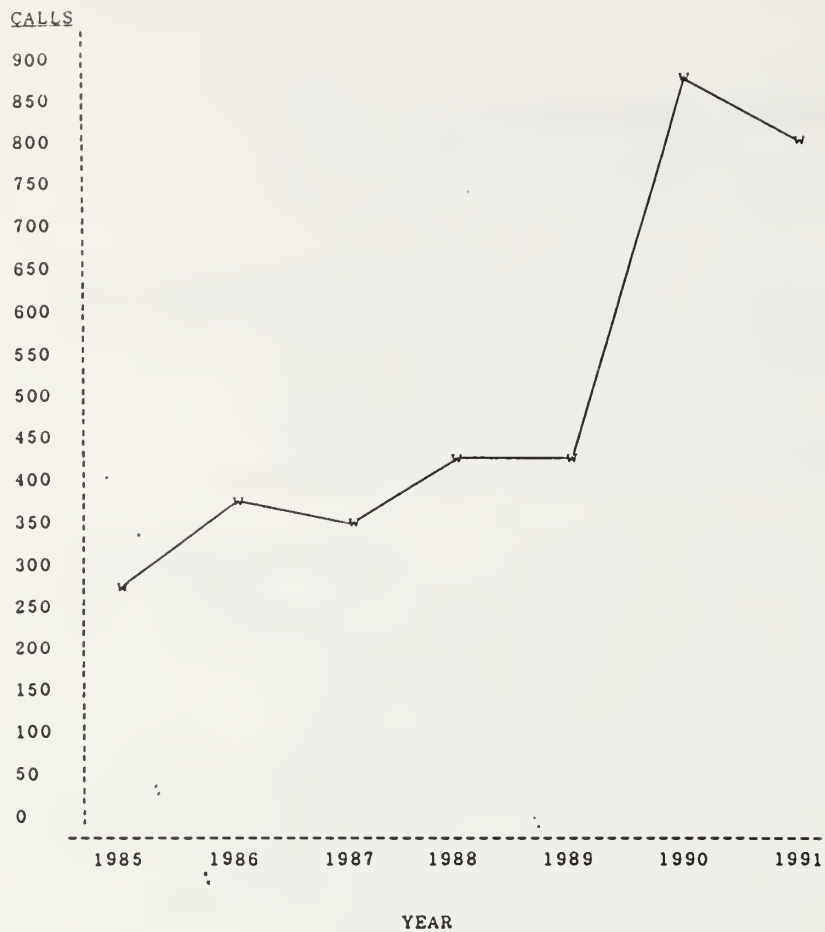
- 3 REPLACEMENT : BACK UP UNIT OR SECOND STRING CAR. EXAMPLES,
 - A EVENT OF MAJOR DAMAGE/ ACCIDENT TO FIRST CAR
 - B TOWN HAS NEVER BEEN WITHOUT AT LEAST TWO RESPONSE VEHICLES
 - C TAKES AT LEAST 2 MONTHS TO GET A NEW CAR ON THE ROAD

- 4 MULTIPLE RESPONSE CALLS : TO TRANSPORT ADDITIONAL OFFICERS TO THE SCENE. EXAMPLES,
 - A MAJOR ACCIDENTS
 - B SEARCHES
 - C FIRES
 - D LARGE PARTIES

- 5 RESPONSE TIME : TWO CARS LOCATED AT DIFFERENT ENDS OF TOWN ENABLE FASTER RESPONSE TIME.
 - A MORE STRATEGIC
 - B MORE OF A DETERRENT TO HAVE 2 CARS

- 6 CRUISER AGE : PRESENT CAR IS 3 YEARS OLD WITH 55,000 MILES.
 - A EMERGENCY VEHICLE GETS USED UNDER STRESSFUL CONDITIONS
 - B USEFUL AGE IS 70-80,000 MILES
 - C THIS IS THE BEST TIME TO INSTITUTE A REPLACEMENT SCHEDULE
 - D TWO CARS ALLOWS US TO SPREAD OUT USE SO BOTH CARS WILL NOT "AGE" AS QUICKLY
 - E REPLACEMENT TIME IN AN EMERGENCY IS MINIMUM OF TWO MONTHS TO GET A CRUISER ON THE ROAD

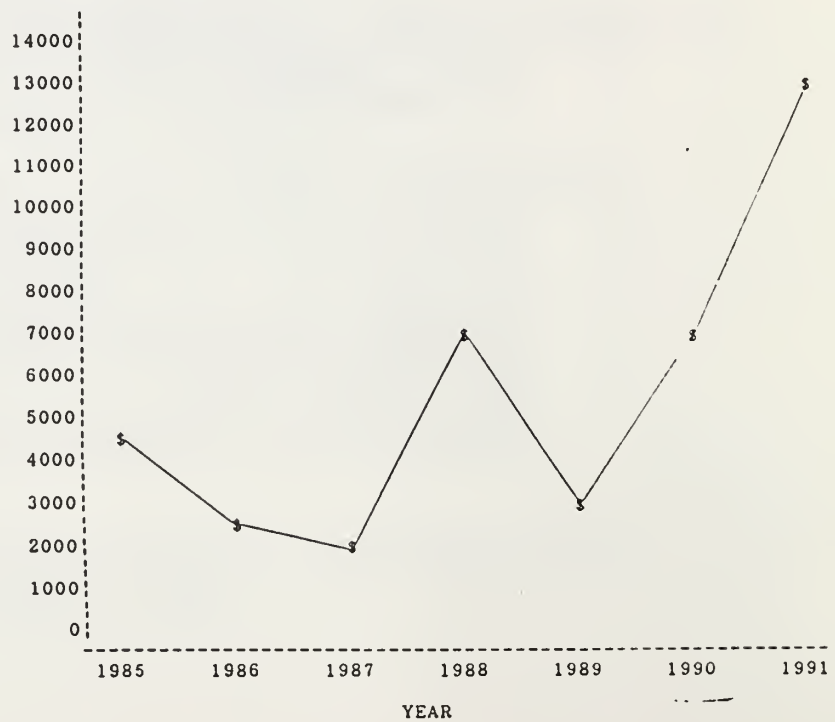
GRAPH OF WORK LOAD



AVERAGE PERCENT CHANGE 1986-91: +24%

GRAPH OF TICKET MONEY

DOLLARS





TOWN OF LEVERETT POLICE DEPARTMENT

Montague Road
Leverett, Massachusetts 01054
Phone 413-548-9100

PETER J. ZABKO
Chief of Police

Dear Citizen,

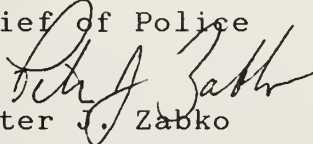
As of 2/24/92 our Ford police car was taken off the road for a number of safety reasons. This means that the entire police department (9 members) is dependant on one vehicle.

The town of Leverett has never been without more than two response vehicles. Before the police department had two patrol cars, officers had radios and blue lights in their personal vehicles, enabling them to respond to calls. That type of response is no longer possible for safety and liability reasons. When our remaining car is inoperative for any reason we will be unable to respond. Calls will be transferred to State police barracks in Northampton. State police response times can sometimes take over an hour as they are understaffed and often respond from as far away as Plainfield and Cummington.

The lack of a second vehicle will greatly reduce our ability to handle emergency calls, especially those requiring multiple vehicles, such as searches, serious accidents, storm related, arrests, traffic control, large parties, domestic disturbances, fires, and creates a dangerous situation when officers need backup officers who will be unable to respond.

Any one who would like further information can contact Leverett Police during office hours of 6:30pm-9pm on Mondays at the Leverett Police Station.

Chief of Police


Peter J. Zabko

Town of Leverett Annual Town Meeting April 25, 1992

LEVERETT ELEMENTARY SCHOOL

CAPITAL PROJECTS COMPLETED, IN PROGRESS AND PLANNED

At the Annual Town Meetings in April, 1990, and April, 1991, articles were voted which enabled several much-needed projects to get under way. Articles at today's Annual Town Meeting seek to continue that process and refer to some of the appropriations voted in 1990 and 1991.

The status of the projects is as follows:

A Appropriation \$125,500 (April 1990)

Ventilation Rehabilitation	COMPLETED
Special Education Space	COMPLETED
Electrical Safety improvements	COMPLETED
Radon Mitigation	COMPLETED
Oil Tank Replacement: design	COMPLETED
Additional Egress Door	NOT DONE

The School Committee has voted to close these projects at a final cost of \$114,985, returning \$10,515 unused.

Heating System Improvements	NEW PROJECT FY93
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ARTICLE NINE, April 25, 1992, proposes the use of the sum returned above as available funds for this new project.

B Appropriation \$35,000 (April 1991)

Oil Tank Replacement	IN PROGRESS
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The legislation enabling the Town to claim reimbursement for the costs of removing the old tank is not yet in place. Sen. Rosenberg (whose legislation this is) anticipates the first release of available funding later in 1992.

/ continued

C Design preparation and limited work
 for Handicapped Accessibility NEW PROJECT FY 93

ARTICLE TEN, April 25,1992 seeks funding of \$15,500 for this purpose.

D Appropriation \$192,500 (April 1991)

Modular Classroom Space	PROJECT COMPLETED
New Well/ Water Supply	PROJECT CHANGED

The School Committee will close out these projects as soon as final bills are dealt with. Provided that necessary work is completed to update our present water system, the Town should not have to incur new well expenses other than those minimal costs already incurred in getting to that point of advantage.

ARTICLE ELEVEN, April 25,1992, proposes the reduction of the April 1991 appropriation by \$65,000 since the need for a new well is no longer anticipated.

E Old Water System Improvements NEW PROJECT FY 93

ARTICLE TWELVE, April 25,1992, seeks a vote for funds to do the required work on the existing water supply. The items include:

removal of old tank and pipes; remove/replace aging wellhead pump; installation of new hydropneumatic tanks; installation of all required safety, backflow and metering devices; testing; design of specs.

F SUMMARY:	Reduced or returned:	\$75,515
	New funding sought:	\$46,015

notes by Martin Leggott for Leverett School Committee, 4/25/92

LEVERETT SCHOOL COMMITTEE

PROPOSED FY 93 BUDGET

4/7/92

Account Number	account title	1991 adjusted	1991 expended	1992 adjusted	1993 proposed	difference curr/prop
FUND SOURCE: LEVERETT LOCAL A L02						
FUNCTION: SCHOOL COMMITTEE 1						
L02	LVE/1109-000-40 LEGAL COUNSEL	0	0	1000	1000	0
L02	LVE/1109-000-62 SCHOOL COMMITTEE CONFERENCES	150	0	150	0	-150
L02	LVE/1109-000-69 ALL OTHER EXPENSES	150	535	250	250	0
L02	LVE/1109-000-60 SCHOOL COMMITTEE ADVERTISING	500	60	300	300	0
L02	LVE/1209-000-69 CENSUS	55	50	55	55	0
L02	U28/1109-000-40 LEGAL COUNSEL-UNION	50	0	134	140	6
L02	U28/1109-000-42 FINANCIAL AUDIT-GRANTS	300	0	536	561	25
L02	U28/1109-000-60 EDUCATIONAL LEADERSHIP IMPRVMT DUES	349	425	374	421	47
L02	U28/1209-000-10 SUPT'S SALARY	14376	14375	16439	18228	1789
L02	U28/1209-000-11 ASST SUPT'S SALARY	9869	9868	11065	12335	1270
L02	U28/1209-000-20 SECRETARY'S SALARY	5301	5300	6155	6799	644
L02	U28/1209-000-21 BOOKKEEPERS' SALARY	10207	8770	9994	11014	1020
L02	U28/1209-000-40 MACHINE RENTAL CONTRACT	30	36	54	56	2
L02	U28/1209-000-41 MACHINE MAINTENANCE	600	386	589	617	28
L02	U28/1209-000-42 COMPUTER CONTRACTED SERVICES	450	468	549	561	12
L02	U28/1209-000-50 OFFICE SUPPLIES	550	567	643	673	30
L02	U28/1209-000-51 POSTAGE	799	649	777	814	37
L02	U28/1209-000-52 PRINTING EXPENSE	200	93	214	224	10
L02	U28/1209-000-53 CLASSIFIED ADS	375	185	321	337	16
L02	U28/1209-000-62 SUPT'S CONFERENCE	475	202	428	449	21
L02	U28/1209-000-63 PROFESSIONAL LIBRARY	132	161	67	196	129
L02	U28/1209-000-64 SUPT'S TRAVEL	531	531	569	597	28
L02	U28/1209-000-66 SUPT'S OUT OF STATE TRAVEL	75	68	80	84	4
L02	U28/1209-000-67 ASST SUPT'S TRAVEL	413	413	443	464	21
L02	U28/1209-000-69 OFFICE CONFERENCES	188	132	67	70	3
	function sub-total SCHOOL COMMITTEE >>	46625	43891	51253	56245	4992
FUNCTION: INSTRUCTION 2						
L02	LVE/2101-000-61 INSERVICE TRAINING	750	548	750	0	-750
L02	LVE/2101-000-63 PROF LIBRARY (STAFF)	100	289	100	0	-100
L02	LVE/2102-000-10 PRINCIPAL'S SALARY (SPED)	15948	15947	0	0	0
L02	LVE/2102-000-20 CLERICAL SALARY (SPED)	5631	5064	0	0	0
L02	LVE/2102-000-41 OFFICE MACHINE MAINT. (SPED)	1920	0	0	0	0
L02	LVE/2102-000-50 OFFICE SUPPLIES (SPED)(SPED)	840	85	0	0	0
L02	LVE/2102-000-69 PROFESSIONAL EXPENSE (SPED)	170	0	0	0	0
L02	LVE/2201-000-10 PRINCIPAL'S SALARY	23922	23921	40921	43000	2079
L02	LVE/2201-000-20 CLERICAL SALARY	8447	9444	14607	14469	-138
L02	LVE/2201-000-41 OFFICE MACHINE MAINTENANCE	2880	4080	3700	4000	300
L02	LVE/2201-000-50 OFFICE SUPPLIES	1260	1233	2325	2500	175
L02	LVE/2201-000-69 PROFESSIONAL EXPENSE	255	179	425	0	-425
L02	LVE/2300-000-10 SALARY INCREASES	0	0	0	5853	5853
L02	LVE/2301-000-10 TEACHERS' SALARIES	288966	295860	346775	357536	10763
L02	LVE/2301-000-30 TEACHER AIDES SALARY	44270	38780	40153	26357	-13826
L02	LVE/2301-000-40 ORGANIZATIONAL MEMBER	225	279	300	0	-300
L02	LVE/2301-000-41 SUBSTITUTES SALARY	2700	4013	4300	4300	0
L02	LVE/2301-000-50 INSTRUCTIONAL SUPPLIES	14200	8499	15900	15200	-700
L02	LVE/2301-000-50 KINDERGARTEN SUPPLIES	1200	3371	1200	1200	0

LEVERETT ELEMENTARY SCHOOL - APRIL 7, 1992

Account Number	Account Title	1991 adjusted	1991 expended	1992 adjusted	1993 proposed	difference curr/prop
L02 LVE/2302-000-17	NURSE'S SALARY (SPED)	8565	8944	8555	8891	336
L02 LVE/2302-000-40	SPED CONTRACTED SERVICES	3000	12954	13500	13500	0
L02 LVE/2302-000-41	DOCTOR'S SALARY (SPED)	400	1400	500	500	0
L02 LVE/2302-000-64	SPECIAL TRAVEL	25	459	25	25	0
L02 LVE/2401-000-50	TEXTBOOKS	1300	1078	1664	2100	436
L02 LVE/2501-000-10	LIBRARIAN SALARY	0	0	30	4690	4660
L02 LVE/2501-000-30	LIBRARY AIDE SALARY	11337	11022	0	6922	6922
L02 LVE/2501-000-50	LIBRARY MATERIALS	1000	893	1000	500	-500
L02 LVE/2601-000-50	AUDIO-VISUAL MATERIALS	1000	186	1000	500	-500
L02 LVE/2802-000-10	PSYCHOLOGIST'S SALARY	13203	13203	14160	14512	352
L02 U28/2101-000-61	UNION INSERVICE	250	267	268	221	13
function sub-total	INSTRUCTION >>	458764	462026	512194	526844	14650

FUNCTION: OTHER SCHOOL SER 3

L02 LVE/3101-000-30	ATTENDANCE SALARY	10	0	0	0	0
L02 LVE/3201-000-10	NURSE'S SALARY (REG)	2855	2981	2852	2964	112
L02 LVE/3201-000-12	NURSE'S AIDE SALARY	5164	4729	5347	5290	-57
L02 LVE/3201-000-41	DOCTOR'S SALARY (REG ED)	100	0	100	100	0
L02 LVE/3201-000-50	HEALTH SUPPLIES	300	163	300	350	50
L02 LVE/3302-000-40	SPED. TRANSPORTATION	1800	0	0	0	0
L02 LVE/3409-000-69	FOOD SERVICE	3500	3500	4000	4000	0
function sub-total	OTHER SCHOOL SER >>	13729	11374	12599	12704	105

FUNCTION: PLANT OPERATION/ 4

L02 LVE/4119-000-32	CUSTODIAL SALARIES	28340	23825	31999	32556	557
L02 LVE/4119-000-50	CUSTODIAL SUPPLIES	2600	1585	2500	2600	100
L02 LVE/4129-000-66	FUEL	8500	11411	11500	11500	0
L02 LVE/4139-000-65	ELECTRIC POWER	12000	14581	14500	19500	5000
L02 LVE/4139-000-68	SCHOOL TELEPHONE	1300	1288	1300	1500	200
L02 LVE/4219-000-69	GROUNDS MAINTENANCE	1960	1430	1960	1960	0
L02 LVE/4229-000-69	BUILDING MAINTENANCE	8000	7291	8000	9200	1200
L02 LVE/4239-000-64	MAINTENANCE TRAVEL	400	410	450	450	0
L02 LVE/4239-000-69	EQUIPMENT MAINTENANCE	1500	301	1500	1500	0
L02 U28/4119-000-32	UNION CUSTODIAN	270	257	296	313	17
L02 U28/4139-000-68	UNION TELEPHONE	874	540	937	982	45
function sub-total	PLANT OPERATION/ >>	65744	67924	74942	82061	7119

FUNCTION: FIXED CHARGES 5

L02 LVE/5209-000-61	SCHOOL COMMITTEE INSURANCE	500	1547	2000	1800	-200
L02 LVE/5209-000-65	STUDENT COVERAGE	875	1015	1000	1200	200
L02 LVE/5309-000-6E	MODULAR SUPPORT	0	0	12500	0	-12500
L02 LVE/5309-000-6E	RENT-KINDERGARTEN SPACE	0	5000	0	0	0
L02 U28/5209-000-60	DISABILITY INSURANCE	90	89	96	101	5
L02 U28/5309-000-6E	CENTRAL OFFICE RENT	899	898	1018	1066	48
function sub-total	FIXED CHARGES >>	1364	8550	16614	4167	-12447

FUNCTION: ACQUISITION/IMPRO 7

L02 LVE/7209-000-80	BUILDING IMPROVEMENTS	0	0	0	0	0
L02 LVE/7309-000-80	ACQUISITION OF NEW EQUIPMENT	0	257	5000	0	-5000

BUDGET REPORT OF ERVING SCHOOL UNION #28 for FISCAL YEAR 1993
 LEVERETT ELEMENTARY SCHOOL - APRIL 7, 1992

PAGE 3

account number	account title	1991 adjusted	1991 expended	1992 adjusted	1993 proposed	difference curr/prop
L02	LVE/7409-000-80 REPLACEMENT OF EQUIPMENT	0	3102	1650	0	-1650
L02	U28/7309-000-80 UNION NEW EQUIPMENT	250	349	268	231	13
	function sub-total ACQUISITION/IMPRO))	250	4208	6918	281	-6637
FUNCTION: PROGRAMS WITH OT 9						
L02	LVE/9102-000-90 SPED TUITION	10500	0	0	0	0
L02	LVE/9102-00F-90 EARLY C'HOOD SPED TUITION	0	0	7682	4900	-2782
	function sub-total PROGRAMS WITH OT))	10500	0	7682	4900	-2782
	fund source sub-total LEVERETT LOCAL A)	597976	597975	682202	687202	5000
**** REPORT GRAND TOTAL))))))))))))))))))))))))		597976	597975	682202	687202	5000

LEVERETT
BUDGET COMPARISON/SUMMARY

AREA	BUDGET FY 92	PROPOSED BUDGET FY 93
<u>1000 ADMINISTRATION</u>		
Leverett Elementary	\$ 1,755	\$ 1,605
Share of Union #28	49,498	54,640
Sub-Total	51,253	56,245
<u>2000 INSTRUCTION</u>		
Salaries:		
Principal	24,553	25,800
SPED Administrator	16,368	17,200
Clerical	14,607	14,469
Teachers	346,775	363,391
Aides	40,183	26,357
Substitutes	4,300	4,300
Librarian	36	11,618
Doctor, Nurse, Psychologist	23,215	23,903
Instructional Supplies	19,100	17,400
Textbooks	1,664	2,100
Other	21,125	20,025
Share of Union #28	268	281
Sub-Total	512,194	526,844
<u>3000 OTHER SCHOOL SERVICES</u>		
Transportation:		
Regular	0	0
SPED	0	0
Food Service	4,000	4,000
Other	8,599	8,704
Sub-Total	12,599	12,704
<u>4000 PLANT OPERATION</u>		
Custodian & Assistant	31,999	32,556
Fuel	11,500	11,500
Power	14,500	19,500
Share of Union #28	1,233	1,295
Custodial Supplies	2,500	2,600
Telephone	1,300	1,500
Building Maintenance	8,000	9,200
Ground, Equipment, Other Maintenance	3,910	3,910
Sub-Total	74,942	82,061
<u>5000 FIXED CHARGES</u>		
Insurance & Other Local Costs	15,500	3,000
Central Office Rent & Costs	1,114	1,167
Sub-Total	16,614	4,167
<u>7000 ACQUISITION OF EQUIPMENT</u>		
Acquisition of Equipment	6,918	281
Sub-Total	6,918	281
<u>9000 PROGRAMS WITH OTHER DISTRICTS</u>		
Tuition	7,682	4,900
Sub-Total	7,682	4,900
TOTAL	\$682,202	\$687,202

FRANKLIN COUNTY COMMISSION

Administrator:
413/774-4015

Regional Services:
413/774-3167

Planning • Human Services • Engineering • Assessing
Municipal Assistance • Data Management • Purchasing

Courthouse • 425 Main Street
Greenfield, MA 01301-3330

January 15, 1992

Selectmen Town of Leverett
Leverett Town Hall
Box 300
Leverett, MA 01054

Dear Selectmen:

I am writing to ask if you would kindly place the enclosed article on your Annual Town Meeting Warrant.

This article will allow your town to choose the method by which it will be represented at the County legislative body (the "County Town Meeting") if the Charter is approved by the voters on November 3, 1992.

The exact wording of the article has been approved by the Secretary of State and cannot be changed without invalidating the vote. Note that an invalid vote or a failure to vote, which would include failure to place the article on the warrant, would result in representation by election - so please help us assure your townspeople of the opportunity to choose.

I have also included a copy of the proposed charter which will first be reviewed by the legislature. Note that the warrant article is stated on page 4.

The Charter Commission is presently preparing a plan for providing more information on the Charter and this article at Annual Town Meetings. We will be in touch with you about this shortly.

Thank you for your attention to this matter. If you have any questions please call the County Administrator at 774-3167.

Regards,



Henry Waidlich, Chair
Franklin County Charter Commission

encl.

FRANKLIN COUNTY COMMISSION

Administrator:
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*Planning • Human Services • Engineering • Assessing
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Greenfield, MA 01301-3330

- SPRING 92 ANNUAL TOWN MEETING WARRANT ARTICLE -

FRANKLIN COUNTY PROPOSED CHARTER METHOD OF REPRESENTATION

"To see which of the following two procedures, A or B, the town chooses for selecting its representative(s) to the County legislative body if the Franklin County Charter is approved at the November 3, 1992 election:

- A. The town representative(s) to the County Town Meeting shall be appointed by the Board of Selectmen.
- B. The town representative(s) to the County Town Meeting shall be elected by the town's registered voters.

Failure to vote, or a tie vote, on the method of representation will result in representation by election."

FRANKLIN COUNTY CHARTER

Preamble. We, the people of Franklin County, in order to serve the interests of the citizens of our County, do hereby affirm that the 26 towns in Franklin County have vital common concerns that transcend our individual borders and that the ability of our towns to address important public issues often depends on our local governments acting together. We therefore establish for ourselves and for our communities the means to effectively serve our towns and to deal with regional issues which transcend the existing boundaries of town governments, and do hereby adopt this home rule Charter for Franklin County.

ARTICLE 1 DEFINITIONS

The following words as used in this Charter shall have the following meanings:

(a) *Charter* - The word "Charter" shall mean this Charter and any amendments to it which may hereafter be adopted.

(b) *County* - The word "County" shall mean the County of Franklin.

(c) *County Agency* - The words "County agency" shall mean any board, commission, county town meeting, committee or any department, division, or office of the County of Franklin.

(d) *Days* - The word "days" shall refer to business days, not including Saturdays, Sundays and legal holidays when the time set is less than seven days; when the time set is seven days or more, every day shall be counted, unless the last day is a Sunday or a holiday.

(e) *Emergency* - The word "emergency" shall mean a sudden, unexpected, unforeseen happening, occurrence or condition which necessitates immediate action.

(f) *Initiative Measure* - A measure proposed by the voters through the initiative process provided under this Charter.

(g) *Laws of the Commonwealth* - The official Laws of the Commonwealth of Massachusetts and the Constitution of the Commonwealth of Massachusetts, including all amendments adopted with respect thereto.

(h) *Majority Vote* - The words "majority vote" shall mean a majority of the members present and voting, provided a quorum is present when the vote is taken, unless a higher number is required by law or by its own rules.

(i) *Referendum Measure* - A measure adopted by the County Town Meeting which is protested by the referendum procedures provided under this Charter.

(j) *Voters* - The word "voters" shall mean persons who are registered to vote in any Franklin County town.

ARTICLE 2 POWERS OF THE COUNTY

SECTION 2-1 *Incorporation*

Franklin County, within the corporate limits established by law, shall continue to be a body politic and corporate for the purposes of suits, of buying and holding, for County uses, personal property and real property, and of contracting and doing other necessary acts relative to its property and affairs.

SECTION 2-2 *Powers of Franklin County*

It is the intent of this Charter to obtain for the government of Franklin County all of the powers it is now possible or may be possible for a county government to have, and to hold and to exercise such powers and such policies under the Constitution and Laws of the Commonwealth as fully and as completely as if each such power were specifically and individually enumerated in this Charter.

It also is the intent of this Charter to encourage a continuing review of the functions performed by Franklin County and enable Franklin County to perform any duty mandated to it in the most efficient manner possible, and without regard to the organizational, structural, or personnel provisions contained in any prior laws.

Nothing in this Charter shall be construed to impair, diminish, or infringe on the powers or duties of cities and towns under the Laws of the Commonwealth. The towns of Franklin County are and shall remain the broad repository of local police power in terms of their right and power to legislate for the general health, safety, and welfare of their residents.

SECTION 2-3 *County Powers, Existing and Additional*

Franklin County shall exercise all powers of county government including the following:

(a) All prerogatives and responsibilities of counties under the Laws of the Commonwealth including but not limited to highways, tax appeals, dams and waterways.

(b) The power to establish a county assessment; appropriate and expend monies; and incur

short and long term debt.

(c) The power to organize and regulate the internal affairs of the County: to create, alter, and abolish departments, offices, positions, and employment and to define functions, powers and duties thereof; to establish qualifications for persons holding offices, positions and employment, subject to the requirements of state law and this Charter; and provide for the manner of their appointment and removal and for their term and compensation.

(d) The power to exercise powers of eminent domain.

(e) The power to construct, acquire, operate and maintain public improvements, capital projects, personal property and real property or other enterprises for any public purpose, subject to Laws of the Commonwealth.

(f) The power to have a corporate seal; to sue and be sued; to contract and be contracted with; to buy, sell, lease, hold and dispose of real and personal property; and to appropriate and expend funds for County purposes.

(g) The power to contract with or enter into agreements with any other entity or governmental unit within or outside the County government, and to provide any joint, coordinated, or cooperative service, or any service, activity, or undertaking which such entity or governmental unit is authorized by law to perform.

(h) The power to develop revenue sources other than the county assessment, including sources, unlike the county assessment, which are independent of the limitations of Chapter 59 of the Laws of the Commonwealth, commonly referred to as Proposition 2 1/2.

(i) The power to adopt, amend and repeal bylaws related to County operations.

(j) The power of initiative petition and referendum (see Article 9).

ARTICLE 3

LEGISLATIVE BODY

SECTION 3-1 *Representation By Local Town Option, Term of Office, Voting, Compensation*

(a) *Representation by Local Town Option* - All legislative powers of Franklin County shall be exercised by the legislative body, hereafter referred to as the County Town Meeting. Each County town shall determine whether its representative or representatives shall be elected by town residents or appointed by the Board of Selectmen. All County towns shall, at their respective annual town meetings to be held in the Spring of 1992, vote on a warrant article to

determine the method of representation. The warrant article shall be in the following form:

"To see which of the following two procedures, A or B, the town chooses for selecting its representative(s) to the County legislative body if the Franklin County Charter is approved at the November 3, 1992 election:

- A. The town representative(s) to the County Town Meeting shall be appointed by the Board of Selectmen.
- B. The town representative(s) to the County Town Meeting shall be elected by the town's registered voters.

Failure to vote, or a tie vote, on the method of representation will result in representation by election."

The method of representation shall be determined by a majority vote in each County town. The results of the 1992 annual town meeting vote on representation shall be reported to the County Commissioners by July 1, 1992.

After this Charter has been in effect for three years, each County town may reconsider the local town option no more than once every three years at an annual town meeting. Any change will be implemented at the beginning of the next regular term. Any future votes shall be subject to the procedures and requirements outlined in this Section of the Charter. Any vote to change the method of representation from appointment to election shall occur at least 65 days before the next town election.

(b) *Legality of Vote* - The method of representation to be chosen by majority vote at the annual town meetings in the Spring of 1992 in all County towns, pursuant to Section 3-1(a) above, shall be validated and confirmed to the same extent as if the special legislation establishing this home rule Charter for Franklin County was in full force and effect at the time of the Spring 1992 annual town meetings.

(c) *Consequence of Taking No Action on the Local Town Option* - If any town in the County fails to vote on the method of representation in the manner outlined in Section 3-1(a) of this Charter, the representative or representatives of such town shall be elected.

(d) *Term of Office* - All representatives, whether elected or appointed, shall serve for terms of three years beginning on the July 1 following the enactment of this Charter and ending on June 30. Terms of office shall be three years except as provided in Section 3-1(g) of this Charter.

(e) *Eligibility* - Representatives shall be residents and registered voters of the towns from which they are elected or appointed. In towns choosing appointment, representatives shall be appointed by the Board of Selectmen by June 15. In towns choosing election, representatives

shall be elected at annual town elections. Residents shall qualify for the town ballot in the same manner as candidates for town offices. The election or appointment shall be in that year in which the term of office is to begin pursuant to Section 3-1(d) of this Charter. Representatives, whether elected or appointed, shall not hold any other elective or appointive County office or be an employee of the County or any of its elected or appointed boards.

(f) *Voting* - Each town shall have one representative for each seven percent, or fraction thereof, of the County's population which resides in the town. Population shall be determined by the most recent federal census. The County Commissioners shall be responsible for determining the number of representatives for each town and shall then give notice to each town as to how many representatives shall be elected or appointed, as the case may be. On all questions each representative, whether elected or appointed, shall cast a weighted vote equal to the proportion of the County's total population residing in the town he or she represents, except that the weighted vote of any town with more than one representative shall be divided equally among its representatives.

(g) *Vacancies* - The office of a representative shall be deemed vacant if the incumbent moves from the town from which elected or appointed, resigns, or is by some illness or other casualty unable, as determined by a majority vote of the County Town Meeting to continue to serve in the office. When vacancies occur, the Selectmen of the applicable town shall, by majority vote, appoint a successor within 30 days of the vacancy to serve until the next town election. Such next election or appointment shall be for the full term of three years as cited in (a) above.

(h) *Organization* - In the year immediately following the approval of this Charter, the County Commissioners shall, by June 15, call, and by July 15 cause to be held, the first organizational meeting of the County Town Meeting. The County Town Meeting shall meet at least quarterly, and shall elect a Chair, Vice-Chair and Secretary at its annual organizational meeting, which shall be its first meeting following July 1 of each year.

(i) *Compensation and Benefits* - County Town Meeting representatives shall not be eligible for a salary. However, County Town Meeting representatives shall be eligible for reasonable reimbursements and expenses subject to the procedures established for County personnel. County Town Meeting representatives, whether elected or appointed, shall not be eligible for benefits, including health benefits, from the County.

SECTION 3-2 *Powers and Duties, In General*

(a) *Powers and Duties in General* - Except as is otherwise provided by the Laws of the Commonwealth, all legislative powers of the County shall be vested in the County Town Meeting which shall exercise its powers consistent with the Laws of the Commonwealth and this Charter.

(b) *Quorum* - Not less than 50 percent of the County Town Meeting shall constitute a quorum.

(c) *Rules of Procedure* - The County Town Meeting shall establish rules for its proceedings.

(d) *Procedures for Bylaws* - The County Town Meeting shall establish its own bylaws, subject to the provisions in this Charter.

(e) *Inquiries and Investigations* - The County Town Meeting may at any time request a report on any aspect of the County government by making such request, in writing, to the County Commissioners. The County Town Meeting may require the County Commissioners and County Administrator to appear before the County Town Meeting and to bring such county records, reports, officials, and employees as the County Town Meeting shall deem necessary to insure clarification of any matter under study.

The County Town Meeting may summon witnesses to attend and to testify and to produce any materials at a hearing before it in the same manner and with the same penalties as is provided for other multiple member bodies by Sections 8 to 11, inclusive, of Chapter 233 of the Laws of the Commonwealth.

The County Town Meeting may, by a simple majority of the weighted vote present, delegate any number of its members as an ad hoc committee to consult with the County Commissioners, the County Administrator, or any other group or individual on any matter and to report back to the County Town Meeting with the results of such meeting.

SECTION 3-3 *Specific Powers of the Legislative Body:*

The County Town Meeting shall have the following powers:

By a simple majority of the weighted vote present:

(a) The power to pass whatever measures are deemed necessary and proper for the operation of County government, in accordance with the Laws of the Commonwealth.

(b) The power to approve the annual operating budget of the County and appropriate funds as required by the budget.

(c) The power to conduct inquiries and investigations.

(d) The power to pass resolutions and bylaws.

(e) The power to establish internal rules of operation.

(f) The power to establish standing committees as deemed necessary to carry out its duties.

By a two-thirds majority of the weighted vote present:

(a) The power to authorize the County to enter into indebtedness.

(b) The power to override a veto of the County Commissioners.

(c) The power to approve acquisition and disposal of real property or significant capital assets, including by eminent domain.

(d) The power to adopt any change in the responsibilities or functions of the Franklin County Planning Board subject to initiative petition and referendum procedures as outlined in Article 9 of this Charter.

ARTICLE 4

EXECUTIVE BODY

SECTION 4-1 *Board of County Commissioners*

(a) *Composition, Term of Office* - The executive powers of Franklin County shall be exercised by the County Commissioners which shall consist of three members, no two of which shall be from the same County town, elected as provided under the Laws of the Commonwealth.

(b) *Exercise of Powers* - The County Commissioners shall conduct all of their official business with at least two members present, provided proper notice has been given to all three members. A vote of two members of the County Commissioners shall be sufficient to exercise any power residing in the County Commissioners.

(c) *Organization* - The County Commissioners shall meet on the first business day of January each year and shall elect a Chair and a Vice-Chair.

(d) *Compensation* - The County Town Meeting may establish an annual salary for the County Commissioners.

SECTION 4-2 *Executive Powers*

The executive powers of the County shall be vested solely in the County Commissioners and may be exercised either directly by the County Commissioners, or through the County Administrator as set forth in Article 5 of this Charter. The County Commissioners shall cause this Charter and the laws, bylaws and orders for the government and administration of the County to be enforced.

The County Commissioners shall exercise general supervision and direction over County agencies unless otherwise provided by law. Each County agency shall furnish to the County Commissioners any documents or information, or shall appear before the County Commissioners as the County Commissioners may request.

SECTION 4-3 *Powers and Duties*

The County Commissioners shall have the following powers:

- (a) The power to supervise the collection of all County revenues and the disbursement of all County funds.
- (b) The power to supervise the selection of the depositories for all County funds.
- (c) The power to exercise all administrative and executive powers of the County by majority vote.
- (d) The power to prepare and submit an annual operating budget and a capital outlay budget to the County Town Meeting for its consideration and adoption, and supervise and administer the budget adopted by the County Town Meeting.
- (e) The power to supervise the care and custody of all County property, institutions, and agencies.
- (f) The power to exercise the powers of eminent domain.
- (g) The power to identify emergency situations and declare emergencies.
- (h) The power to call emergency meetings of the County Town Meeting with 72 hours notice.
- (i) The power to call special meetings of the County Town Meeting with two weeks notice, subject to the bylaws of the County Town Meeting.
- (j) The power to approve bylaws of the County Town Meeting pursuant to Section 4-4 of this Charter.
- (k) The power to report on the state of the County at least annually to County residents and the County Town Meeting.
- (l) The power to make recommendations for action to the County Town Meeting as deemed necessary for the welfare of the County.
- (m) The power to sign all deeds, contracts, bonds or other instruments requiring the consent of the County Commissioners.
- (n) The power to act as Commissioners of the Regional Planning Agency as outlined in Article 8 of this Charter.
- (o) The power to inquire at any time into the conduct of office or performance of duty of

any County officer, employee, or county town meeting member.

(p) The power to establish internal rules of operation.

(q) The power to designate one or more newspapers for public notices.

(r) The power to select and retain County Counsel who shall advise the County Commissioners.

(s) Such other powers as may be granted by the Laws of the Commonwealth.

SECTION 4-4 *Procedures for Review of Bylaws by the County Commissioners*

Bylaws adopted by the County Town Meeting shall forthwith be presented to the County Commissioners for approval. The signatures of a majority of the County Commissioners shall be required for approval. If the County Commissioners fail to take action on any bylaw within 21 days, the bylaw shall become effective. If the County Commissioners disapprove of any bylaw, they shall return the bylaw to the Secretary of the County Town Meeting within 10 days with the specific reasons for the disapproval, in writing. If the County Town Meeting does not override the disapproval of the County Commissioners by a two-thirds majority, pursuant to Section 3-3 of this Charter within 30 days, the bylaw shall be rejected.

SECTION 4-5 *Delegation and Appointments by the County Commissioners*

(a) *Delegation of Authority* - The County Commissioners may delegate to the County Administrator or any subordinate officer or employee of the County the exercise of any power, function or duty assigned by this Charter to the County Commissioners. All acts performed under such delegation shall be deemed to be the acts of the County Commissioners.

(b) *Appointments* - The County Commissioners shall appoint and in appropriate circumstances may remove, subject to the provisions of any applicable collective bargaining agreements and Laws of the Commonwealth, all County officers, department heads, and all other County employees with respect to whom no other method of selection is provided by this Charter. Whenever any vacancy occurs and the needs of the County require that such office be filled, the County Commissioners may designate a County officer or employee to perform the duties of that office on a temporary or acting basis until such time as the incumbent resumes the duties of the office or the position has been filled in the manner provided by this Charter or by County bylaw.

ARTICLE 5

ADMINISTRATIVE ORGANIZATION

SECTION 5-1 *County Administrator, Qualification, Term of Office, Compensation*

(a) *Appointment, Qualification, Term of Office* - The chief administrative officer of the County shall be the County Administrator appointed by a majority vote of the County Commissioners to serve at the pleasure of the County Commissioners. The County Administrator shall be qualified by education, training and experience in public administration to perform the duties of the office. The County Administrator need not be a resident of the County at the time of appointment but shall establish residence therein within a reasonable time frame. The County Administrator shall devote full time to the office and shall hold no other elected public office nor engage in any business or consulting activity while serving as County Administrator unless authorized in writing by the County Commissioners.

(b) *Compensation* - The County Commissioners shall fix the compensation of the County Administrator annually. The salary shall be reasonable and commensurate with the duties of the office and may not be lowered during the tenure of an incumbent.

(c) *Powers and Administrative Duties* - The County Administrator shall exercise general day-to-day supervision and direction over all County agencies, unless otherwise provided by the Laws of the Commonwealth. Each County agency shall furnish to the County Administrator any information, materials or other information as the County Administrator may request.

SECTION 5-2 *County Administrator, Powers and Duties*

The County Administrator shall have, possess and exercise all the powers, rights and duties commonly associated with the office of chief administrative officer of a local governmental unit. The powers and duties of the County Administrator shall at the discretion of the County Commissioners, include, but not be limited to the following:

(a) To prepare and submit to the County Commissioners an annual operating budget and a capital outlay budget.

(b) To establish budget schedules and procedures for all County departments, agencies and offices and supervise and administer the budget throughout the fiscal year.

(c) Subject to the approval of the County Commissioners, to conduct all negotiations with County employees concerning conditions of employment and to negotiate all other contracts entered into by the County.

(d) To develop, install, and maintain centralized procedures for all County departments, including, but not limited to, all budgeting and financial management, purchasing, and personnel

administration.

(e) To recommend personnel actions to the County Commissioners including the appointment and removal of officers and employees.

(f) To keep the County Commissioners and the County Town Meeting informed of the County's financial and administrative condition.

(g) To review and make recommendations to the County Commissioners concerning all contracts, bonds or other instruments requiring the consent of the County.

(h) To review, analyze and forecast trends of County services, programs and finances and make recommendations to the County Commissioners, department heads and other personnel as deemed necessary, desirable or expedient.

(i) To inquire at any time into the conduct of office or performance of duty of any County officer, department head or employee.

(j) To require any County agency or officer to prepare and submit reports, records and summaries of operations and activities as may be necessary to assist in the proper administration of the County.

(k) To direct the operations of all County regional and municipal services departments including the Department of Finance and office of County Treasurer, and the Regional Planning Agency.

(l) To exercise the right to speak on any issue involving the County, but without the right to vote.

(m) To perform any other duties as may be required.

SECTION 5-3 *County Administrator, Delegation of Authority*

(a) *Delegation of Authority* - The County Administrator may authorize any subordinate officer, department head or employee of the County to exercise any power, function or duty assigned by this Charter to the County Administrator provided, however, that all delegated acts shall be deemed to be acts of the County Administrator.

(b) *Temporary Absence* - The County Administrator shall by letter filed with the Secretary of the County Town Meeting and the Chair of the County Commissioners, designate a qualified County officer, department head or employee to exercise the powers and perform the duties of County Administrator during a temporary absence, subject to the approval of the County Commissioners.

SECTION 5-4 *Vacancy, Acting County Administrator*

(a) *Vacancy* - Any vacancy in the office of County Administrator shall be filled as soon as possible by the County Commissioners. In the meantime, the County Commissioners shall designate a qualified County officer or employee to perform the duties of the County Administrator on an acting basis for a period not to exceed six months.

(b) *Powers and Duties* - The powers of a temporary or acting County Administrator under Section 5-3 (b), shall be limited to matters not admitting of delay and shall include the authority to make temporary, emergency appointments or designations, to County office or employment, subject to the approval of the County Commissioners.

SECTION 5-5 *Removal and Suspension*

The County Commissioners may initiate the suspension or removal of the County Administrator by a majority vote in accordance with the personnel policies of the County.

SECTION 5-6 *County Treasurer*

(a) *County Treasurer* - The County Treasurer shall be appointed by the County Commissioners. The County Treasurer shall be qualified by education, training and experience to perform the duties of the office.

(b) *Department of Finance* - There shall be a Department of Finance which shall be headed by the County Treasurer. The County Treasurer shall be responsible for overseeing all of the financial operations of the County and shall report to the County Administrator. The County Treasurer shall have all of the powers and duties which are given to County Treasurers by the Laws of the Commonwealth, and such additional powers and duties as may be provided by County bylaw or administrative code which relate to financial matters and affairs.

SECTION 5-7 *County Sheriff*

County Sheriff - There shall be a County Sheriff elected as provided by law. The County Sheriff shall have the general care and superintendence of the County Jail and House of Corrections and shall have all of the powers and duties which are given to County Sheriffs under the Laws of the Commonwealth.

SECTION 5-8 *Register of Deeds*

(a) *Register of Deeds* - The Register of Deeds shall be elected as provided by law. The Register of Deeds shall have all of the powers and duties which are given to Registers of Deeds by the Laws of the Commonwealth.

(b) *Vacancies* - If a vacancy occurs in the office of the Register of Deeds, the County Commissioners, subject to the approval of the County Town Meeting, shall appoint a successor

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ARTICLE 6

SECTION 1. DIVISION OF POWERS

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ARTICLE 7

SECTION 1. FINANCIAL AND FISCAL PROCEDURES

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SECTION 1. FINANCIAL AND FISCAL PROCEDURES

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s or use any portion of the County Tax to finance the
of Corrections, the Registry of Deeds or any other non-
or use of facilities owned or operated by the County
of the County Courthouse by the Trial Court of the

Commonwealth, except as provided by contract approved by the County Commissioners and County Town Meeting.

(b) *Jail and House of Corrections* - The Jail and House of Corrections shall be financed by the jail transfer payment established in line item 1599-3658 of the fiscal year 1990 state budget and beginning with the words, "*For a reserve to replace County taxes previously assessed upon municipalities for the operation of County jails....*" or such line items corresponding to or succeeding it in subsequent years. Additionally, payments received by the County for services rendered by the Jail and House of Corrections including but not limited to fees for holding non-county prisoners and other inter-governmental transfer payments for jail services, shall be utilized exclusively for the purpose of operating the Jail and House of Corrections. Further, the Jail and House of Corrections shall receive 75 percent of the excise stamp tax revenue established by Chapter 193 of the Acts of 1989.

(c) *Registry of Deeds* - The Registry of Deeds shall be financed by fees for documents as established by the Laws of the Commonwealth. Additionally the Registry of Deeds shall receive 10 percent of the excise stamp tax revenue established by Chapter 193 of the Acts of 1989.

(d) *Regional Services Division* - The Regional Services Division shall be financed by the County Tax as outlined in Section 7-1 of this Charter. Further, 25 percent of the excise stamp tax imposed on deeds instruments and writings pursuant to Chapter 64 of the Laws of the Commonwealth and Section 23 of Chapter 546 of the Acts of 1969 shall be retained, and 15 percent of the excise stamp tax revenue established by Chapter 193 of the Acts of 1989 shall be used exclusively to provide regional municipal services to Franklin County towns through the Regional Services Division.

(e) *Cost Allocation Plan* - As part of the annual budget, the County Commissioners shall prepare a cost allocation plan which shall identify all costs and appropriations directly or proportionately attributable to the three service divisions of Franklin County government: the Jail and House of Corrections, the Registry of Deeds, and the Regional Services Division, which shall include the Department of Finance and the office of County Treasurer as outlined in Section 5-6 of this Charter. Services rendered by the Regional Services Division to the Jail and House of Corrections and the Registry of Deeds shall be charged to the appropriate division based on a cost allocation plan or any other documentation of appropriate costs of services rendered to such division. The Jail and House of Corrections and Registry of Deeds shall establish a line item in their budgets entitled "Regional Services Division Fees" from which the aforementioned direct costs and fees shall be paid to the Regional Services Division.

(f) *Account Surplus* - Any account surplus remaining in the Jail and House of Corrections or Registry of Deeds division budgets at the close of the fiscal year shall be reappropriated to said division in the ensuing fiscal year. Any surplus remaining in the Regional Services Division which is in excess of five percent of the county assessment levied in the closed fiscal year shall be returned to the County towns.

SECTION 7-2 *Fiscal Year*

The fiscal year of Franklin County shall begin on July 1 and end on June 30.

SECTION 7-3 *The County Budget*

(a) *Submission and Adoption of the Proposed Budget* - Each County division and department shall each year submit to the County Administrator its requested annual budget by the date designated by the County Commissioners. The County Administrator, operating within guidelines issued by the County Commissioners, shall prepare and submit a proposed operating budget for the ensuing fiscal year to the County Commissioners for review. By March 1 of each year, the County Commissioners shall submit to the County Town Meeting their proposed operating budget for the ensuing fiscal year with an accompanying budget message and supporting documents. The County Commissioners shall also make available a proposed budget summary for public review. The County Town Meeting shall adopt a budget for the ensuing fiscal year not later than June 1.

(b) *Actual and Estimated Income and Expenditures* - The proposed operating budget shall provide a comprehensive financial plan of all County funds and activities. The budget shall show actual and estimated income and expenditures for the previous, current, and ensuing fiscal year and shall include the following for each County division: proposed expenditures for current operations and proposed revenue sources; proposed capital expenditures and the proposed methods of financing capital expenditures; and estimated surplus revenue and free cash at the end of the current fiscal year, including estimated balances in any special accounts. The budget shall include a capital improvement program as appropriate. The budget shall in all events be a balanced budget.

(c) *Budget Message* - The budget message submitted by the County Commissioners shall explain the proposed budget for all County divisions. The budget message shall (1) outline the proposed financial policies of the County for the fiscal year; (2) describe important features of the proposed budget; (3) indicate any major variations from the current budget with an explanation of the changes; (4) summarize the County's debt position; and (5) include any other information the County Commissioners deem desirable.

SECTION 7-4 *State Takeover of County Functions*

(a) *Responsibility for Statutory Functions* - In the event the functions of Jail and House of Corrections, Registry of Deeds, or Courthouse facilities are assumed by the state, no portion of the county assessment segregated by Section 7-1 of this Charter shall be used to finance such assumption of former County operations. All other statutory prerogatives and responsibilities of the County shall be retained and exercised pursuant to the Laws of the Commonwealth. Any and all State, Town, regional, or other agencies which may assume responsibility for any statutory prerogatives and responsibilities of any other counties of the Commonwealth of Massachusetts which may at any time be dissolved by the State, shall, upon petition of Franklin County, assume such responsibility with respect to Franklin County.

ARTICLE 8

REGIONAL PLANNING AGENCY

SECTION 8-1 *Regional Planning Agency, Responsibilities and Powers*

Responsibilities and Powers - Any and all regional planning activities or functions established pursuant to the provisions of Chapter 525 of the Acts of 1963 (the Act which establishes the Franklin County Commissioners as the Regional Planning Agency for Franklin County), as amended, and Section 5 of Chapter 40B of the Laws of the Commonwealth (the Act which defines the actions of the Regional Planning Agency), or any subsequent provision of the Laws of the Commonwealth shall be a responsibility of the County under this Charter and subject to its provisions. The County Commissioners acting as the executive body and County Town Meeting acting as the legislative body shall have and may exercise any and all authority for regional planning as may be authorized by state law and shall be responsible for the establishment of policies to guide all regional planning and development activities of the County. The Franklin County Planning Board shall advise the County Town Meeting and County Commissioners on all issues related to planning and shall make recommendations as appropriate.

SECTION 8-2 *Franklin County Planning Board*

(a) *Composition* - The Franklin County Planning Board shall be structured as follows: (1) Each town shall appoint one representative for each seven percent, or fraction thereof, of the County's population which resides in the town. Town appointments shall be made by the Selectmen in each town in consultation with each town's planning board. The town population shall be determined by the most recent federal census; (2) The County Town Meeting shall annually elect five of its members to serve on the Franklin County Planning Board provided that no more than one County Town Meeting representative per town shall serve on the Board at the same time; and (3) The County Commissioners shall annually elect one County Commissioner to serve on the Franklin County Planning Board.

(b) *Term of Office* - Each representative shall serve a term of three years.

(c) *Voting Powers* - Each Franklin County Planning Board member shall have one equal vote.

(d) *Quorum* - Not less than 25 percent of the full Franklin County Planning Board membership shall constitute a quorum.

(e) *Organization* - The Franklin County Planning Board shall establish rules for its proceedings and organization.

(f) *Responsibilities and Functions* - The Franklin County Planning Board shall (1) advise the

County Commissioners and County Town Meeting regarding any and all regional planning issues; (2) study the range of existing and potential planning functions and responsibilities of the Franklin County Planning Board; and (3) make a full report with recommendations to the County Town Meeting within two years from the date this Charter is established.

(g) *Future Changes in Structure, Responsibilities and Functions* - Any recommended changes in the structure, responsibilities or functions of the Franklin County Planning Board shall be submitted to the County Town Meeting. In order for any changes to occur in the future planning structure, responsibilities or functions, the County Town Meeting shall first adopt any changes by a two-thirds majority vote of the County Town Meeting as outlined in Section 3-3 of this Charter. These changes shall then be subject to the same referendum procedures for petition initiatives outlined in Article 9 of this Charter.

ARTICLE 9

INITIATIVE PETITION AND REFERENDUM PROCEDURES

SECTION 9-1 *Citizen Initiative and Referendum Procedures*

(a) *Initiating The Process* - Citizen initiative and referendum procedures shall be started by the filing of an initiative petition with the Secretary of the County Town Meeting. The petition shall be addressed to the County Town Meeting, shall contain a request for the passage of a particular measure, which shall be set forth in full in the petition, and shall be signed by at least 6 percent of the voters in the County as of the date of the most recent state election, provided, however, not more than 25 percent of the signatures shall be from any one town. Signatures to an initiative petition need not all be on one paper, but all such papers pertaining to any one measure shall be fastened together and shall be filed as a single instrument, with the endorsement thereon of the name and residence address of the person designated as filing the same. With each signature on the petition there shall also appear the street and number of the residence of that signer. When presented to the Secretary of the County Town Meeting the petitions shall have been certified by the Boards of Registrars in each town in which the petition forms are collected. The Board of Registrars in each town shall, within seven days following their submission, certify the signatures which are the names of voters in their respective towns.

(b) *Referral to County Counsel* - If the Secretary of the County Town Meeting determines that a petition has been signed by a sufficient number of voters, a copy of the petition shall forthwith be delivered to the County Counsel. Within ten days following the date a copy of the petition is received, the County Counsel shall, in writing, advise the County Town Meeting as to whether the measure is excluded from the initiative process under Section 9-2 of this Charter. If the opinion of County Counsel is that the measure does not qualify for the initiative procedure under Section 9-2, the reasons shall be stated in full and a copy of the opinion shall be mailed to the person designated on the petition as having filed the same.

(c) *Action on Petitions* - Within 30 days following the date a petition has been returned to the County Town Meeting by the County Counsel having been found to be lawful, the County Town Meeting shall act by either adopting or rejecting the initiative petition. The passage of an alternative measure shall be deemed a rejection. If the County Town Meeting fails to act on the initiative petition within 30 days, the initiative shall be deemed rejected. The Secretary of the County Town Meeting shall forthwith give notice, in writing, of any initiative petition rejected to the person designated on the petition as having filed the same.

(d) *Supplementary Petitions* - A supplementary initiative petition may be submitted to the County Town Meeting within 55 days following the date the rejection notice is received by the petitioner. The supplementary initiative petition shall be signed by a number of voters which is equal to at least 7 percent of the registered voters in the County as of the date of the most recent biennial state election, provided, however, not more than 25 percent of the signatures shall be from any one town. Supplementary petitions shall be filed in the same manner as outlined in Section 9-1(a) of this Charter. If the number of signatures is deemed to be sufficient, the County Town Meeting shall make provision for the submission of the question to the voters at the next biennial state election. If sufficient signatures are certified at least 70 days prior to the next biennial state election, the County Town Meeting shall submit the question to the Secretary of State at least 60 days prior to the election.

(e) *Publication* - The full text of any initiative petition referendum submitted to the voters shall be published in a local newspaper not less than 7 days nor more than 15 days proceeding the date of the election at which such question is to be voted on. The County Town Meeting shall be responsible for publishing the measure.

(f) *Form of the Ballot Question* - The ballots used when voting on an initiative petition referendum shall contain a question in substantially the following form: "Shall the following measure which was proposed by an initiative petition of voters be enacted?" (Insert here a fair and concise summary prepared by County Counsel.)

(g) *Effective Date* - If a majority of the votes cast on the question is in the affirmative, the measure shall be deemed to be effective immediately upon certification by the Secretary of State, unless a later date is specified in the measure.

SECTION 9-2 *Excluded Matters*

None of the following shall be subject to initiative petition or referendum procedures: (1) proceedings relating to the internal organization or operation of the County Town Meeting; (2) actions designated as resolutions of the County Town Meeting; (3) revenue loan orders; (4) any appropriation for the payment of any County debt or debt service; (5) any encumbered portion of an appropriation; (6) the budget or any item pertaining to it; (7) any action that has been taken which cannot be undone without affecting the rights of third parties; (8) where the vote constitutes ratification of a prior action of the County; and (9) any proceedings relating to personnel actions.

SECTION 9-3 *Submission of Other Matters to Voters*

The County Town Meeting may, on its own motion, submit to the voters of the County for adoption or rejection at any biennial state election any proposed measure, or a proposition for the repeal or amendment of any measure, in the same manner and with the same force and effect as is provided in Section 9-1 of this Charter. The County Town Meeting shall submit the question to the Secretary of State at least 60 days prior to the next biennial state election.

ARTICLE 10

GENERAL PROVISIONS

SECTION 10-1 *Charter Amendments*

(a) *Charter Amendments* - This Charter may be replaced, revised or amended in accordance with the procedure made available under Chapter 34A of the Laws of the Commonwealth and may also be amended in accordance with the procedures outlined in this section of the Charter.

The County Town Meeting may, by a two-thirds majority of the weighted vote of its full membership, and a majority vote of the County Commissioners, submit proposed amendments to this Charter to the voters except amendments which relate in any way to the composition, mode of election, term of office or appointment of either the legislative body or the County Administrator. Amendments proposed by the County Town Meeting shall become effective if approved by a majority of the voters at the next regular biennial state election held at least 150 days following the date of the vote on any Charter amendments by the County Town Meeting.

The County Town Meeting may, by a two-thirds majority of the weighted vote of its full membership, and with the majority vote of the County Commissioners, file a petition with the state legislature for a special law relating to any Charter amendments which affect in any way the composition, mode of election, term of office or appointment of the legislative body or the County Administrator.

(b) *Form of the Ballot Question* - The ballots used when voting on a Charter amendment shall contain a question in substantially the following form: "Shall the following Charter amendment which was proposed by a two-thirds majority of the weighted vote of the full membership of the County Town Meeting and a majority vote of the County Commissioners be enacted?" (Insert here a fair and concise summary prepared by County Counsel.)

SECTION 10-2 *Specific Provisions to Prevail*

To the extent that any specific provision of this Charter conflicts with any provision expressed in general terms, the specific provision shall prevail.

ARTICLE 11

TRANSITIONAL PROVISIONS

SECTION 11-1 *Effect on Laws*

All Laws of the Commonwealth, special laws, rules and regulations of or pertaining to the County that are in force when this Charter takes effect and not specifically or by implication repealed hereby shall continue in full force and effect until amended or repealed, or rescinded in due course by laws or until they expire by their own limitation.

SECTION 11-2 *Continuation of Government and Personnel*

All County agencies shall continue to perform their duties until re-appointed, re-elected, a vacancy occurs, or until successors to their respective positions are appointed or elected and qualified, or until their duties have been transferred and assumed by another agency.

Members of the Franklin County Advisory Board shall continue to serve as representatives of their respective towns for all the purposes of this Charter until the County Town Meeting representatives begin their terms on July 1 following the ratification of this Charter.

SECTION 11-3 *Effective Date*

This Charter shall become fully effective on the first business day in January in the year following the year in which this Charter has been ratified by the voters of Franklin County. Any measures taken that affect Section 3-1(a) prior to the first business day of January shall be properly undertaken as if the Charter was fully effective.

LEONARD J. LUBINSKY

SUPERINTENDENT OF SCHOOLS

J. MARTIN LEGGOTT

ASSISTANT TO THE SUPERINTENDENT

18 PLEASANT STREET

ERVING, MA

MILLERS FALLS POSTAL ZONE 01349

(413) 659-3337

FAX (413) 659-0236

MEMORANDUM

TO: Leverett Selectboard
FROM: Superintendent Lubinsky
DATE: April 3, 1992

At its meeting of March 31, the School Committee voted to close out the capital projects voted in Article 9 of the April 1990 Annual Town Meeting and to return the unexpended money to available funds. The unexpended funds amount to \$10,515.39.

Leonard J. Lubinsky
Superintendent of Schools

LJL/amf

DIVISION OF CONTINUING EDUCATION
615 Goodell Bldg, Business Office
University of Massachusetts
Amherst, MA 01003

Invoice No. 20144
Date 10/8/91
Account No.: 307283
Bill due by: 11/8/91

INVOICE

School Union #28
Leverett Elementary School
Montague Road
Leverett, MA 01054

VENDOR'S CERTIFICATION

I certify that the goods were
shipped or the services rendered
as set forth below.

Marsha L. Howe
(Please sign in ink)

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
	TEAMS (Tutoring Enrichment and Assistance Models for schools); one-to-one tutoring services offered at Leverett Elementary School during the Spring 1991 semester.		200 00

ERVING SCHOOL UNION #28

ERVING, LEVERETT, NEW SALEM, WENDELL, SHUTESBURY

LEONARD J. LUBINSKY
SUPERINTENDENT OF SCHOOLS

OLD ERVINGSIDE SCHOOL
PLEASANT STREET
MILLERS FALLS, MASS. 01349
TELEPHONE 413 659 3337

MEMORANDUM

TO: D'Ann Kely
FROM: Leonard Lubinsky
DATE: November 15, 1991
SUBJECT: BILL OF PRIOR YEARS

I have enclosed this bill from the Division of Continuing Education at the University of Massachusetts for what had originally been described as an honorarium for tutoring services which had been provided last spring.

Because we did not receive this bill until October 1991, it must be considered a bill of prior years.

Leonard J. Lubinsky
Superintendent of Schools

LJL/amf



TOWN OF LEVERETT
Massachusetts 01054

December 6, 1991



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES

COMMITTEE ON HEALTH CARE
OFFICE OF THE CHAIR

CARMEN BUELL
REPRESENTATIVE
2ND FRANKLIN DISTRICT
113 BEACON STREET
GREENFIELD, MA 01301
TEL. (413) 772-6752

CHRISTOPHER WOODCOCK
SENIOR ADMINISTRATIVE ASSISTANT

ROOM 130
STATE HOUSE
BOSTON, MA 02133
TEL. 722-2130

KATHERINE P. ANDREWS
STAFF DIRECTOR

BRIAN M. CONDRON
RESEARCH DIRECTOR

June 1, 1992

Board of Selectmen
Town Hall
Leverett, MA 01054

Dear Board Members,

I am writing in response to your letter concerning gas tax revenues and to give you an update on the House budget as it relates to the issue of state aid to cities and towns.

In general, the fiscal 1993 budget adopted by the House last week is level funded with respect to local aid. However, the House version of the budget does contain some additional funding -- and a proposed change in Proposition 2 1/2 -- that that should prove beneficial to Leverett and other communities.

First of all, the budget does include \$39 million statewide that will go to cities and towns on the cherry sheet to pay for local highway work. This is the account that is funded from the gas tax, and Leverett was one of the communities that contacted me to ask for my support in seeing that the state gives municipalities their rightful 15 percent of those revenues. The budget also contains a provision forbidding the use of the state's 21-cent-a-gallon gas tax for anything other than highway and bridge repairs and mass transportation projects. That is designed to prevent the diversion of gas tax revenues to the state's general operating budget -- an issue that is critical to you and to me and on which we have worked together in the past.

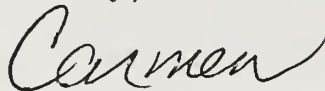
In addition to the \$39 million for municipalities, another \$110 million is set aside to go immediately -- contracts would have to be awarded by Aug. 15 -- for highway construction projects throughout the state. That pot of money is intended to repair roads and bridges and generate jobs to help stimulate the economy. The projects in western Massachusetts could provide help for unemployed construction workers in the area.

The budget also includes an additional \$186 million in state aid for education. Of that, \$84 million is to be distributed to every city and town on a \$100 per pupil basis. The remaining \$102 million will be directed through the Equal Educational Opportunity Grant program to communities spending below the statewide average on public education.

The budget also contains -- as it did last year before Gov. Weld's veto -- a change in Proposition 2 1/2 that would allow cities and towns to move the tax-abatement overlay reserve out from under the levy cap.

I want to thank the members of the Board for your efforts on the issue of local aid. The suggestions and input I received -- and the spirit of communication and cooperation -- have been and will continue to be very helpful during this budget process. If you have questions or if I can provide further information, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Carmen".

CARMEN BUELL
STATE REPRESENTATIVE

cc: D'Ann Sauer Kelty, Town Clerk

United States Senate

WASHINGTON, D.C. 20510

June 1, 1992

Ms. D'Ann S. Kelty
Post Office Box 178
Leverett, Massachusetts 01054

Dear Ms. Kelty:

Thank you for your letter on the issue of defense spending. In my view the recent events in the Soviet Union and Eastern Europe have substantially reduced the threat to our national security. We now have an unprecedented opportunity to maintain sufficient military capabilities at substantially lower levels of spending.

In October 1990, Congress and the Bush Administration signed a budget agreement which cut defense spending by 21 percent over the next five years. These cuts were based on the end of the Warsaw Pact, the withdrawal of Soviet troops from Eastern Europe, and the conclusion of treaties limiting conventional forces in Europe and strategic nuclear arms. Now, however, the collapse of the Soviet Union enables us to reduce our defense spending even faster than was assumed at the time of the 1990 agreement.

I have introduced a proposal to reduce the defense budget by \$210 billion between now and 1999 and re-direct the savings to pay for essential investments here at home, without increasing the deficit. We should revise the 1990 budget agreement to take advantage of this opportunity.

We should make future defense reductions with two principles in mind. First, the reductions should be part of a sensible step-by-step plan that protects the military forces that we still need for our national security. Second, the reductions should treat our military personnel, who have served so well, with fairness and compassion. With these principles in mind, the savings should come from several specific areas.

We must begin by eliminating gold-plated nuclear weapon systems. President Bush initiated needed reductions last September, by unilaterally withdrawing the U.S. arsenal of tactical nuclear weapons. He also canceled development of the mobile MX missile and the Midgetman missile, and took our strategic bombers off day-to-day alert. These were constructive steps back from the nuclear brink that were amply justified as responses to the dramatic reductions in East-West tensions.

Unfortunately, the Administration failed to apply the same compelling logic to halt production of the B-2 bomber and scale-back Star Wars from its Cold War spending levels.

The B-2 bomber, which was designed to defeat sophisticated Soviet air defenses, has become too costly and unnecessary. The availability of another strategic bomber, the B-1, allows us to cancel the B-2 program. Currently priced at \$850 million each, the B-2's cancellation would save an estimated \$20-\$30 billion over the remainder of the decade, and these savings could be used for urgent domestic priorities such as education and health care.

The Strategic Defense Initiative program should be restrained and refocused on theater defense systems. SDI should concentrate on the area of greatest threat -- shorter-range missiles in the hands of renegade leaders, like Saddam Hussein. The Patriot air defense missile proved itself in the Gulf. This system and other more advanced theater defense systems should be continued. But, we should reduce funding for other programs that were part of President Reagan's original Star Wars proposals. By refocusing SDI on the theater missile threat and limiting spending on more exotic, space-based systems, we can save \$15-20 billion over the next five years.

Additional savings can be achieved by modernizing our conventional forces and emphasizing systems best suited for regional conflicts in the Third World. To achieve this goal, we should move forward with the V-22 Osprey vertical flight aircraft, the C-17 cargo plane and development of a cheaper substitute for the SSN-21 submarine. We should also improve our fast sealift capabilities, while deferring the new Army tank and helicopter proposed to defend against the now remote possibility of a land offensive in Central Europe.

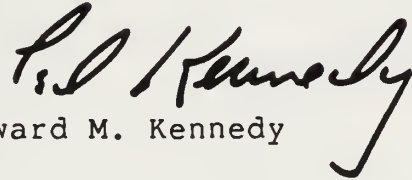
Further savings can be achieved by reducing the portions of the defense budget devoted to NATO, without sacrificing the defensive capabilities required to meet the military threats that remain. In particular, the number of active duty forces in Europe can be reduced well below the 150,000 now planned by relying more on reserve forces.

As we make reductions, we must continue to be vigilant regarding the uncertain course of events in the former Soviet Union, particularly with respect to the status of the large number of nuclear weapons in the Soviet arsenal. Congress has already authorized the use of up to \$400 million in defense funds to help with their safe and effective dismantling and disposal.

In the coming decade, many serious challenges will be facing the nation here at home. We need to allocate more resources to strengthen areas such as education and health care. It is time to turn away from the development of expensive and wasteful weapon systems and toward essential domestic investments and

middle-class tax relief. The savings that will result from sensible reductions in defense spending are critical for meeting these needs. Again, thank you for writing to me on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "E. M. Kennedy". The signature is fluid and cursive, with the first name "Edward" and last name "Kennedy" clearly distinguishable.

Edward M. Kennedy

EMK/nst

COMMITTEES
EDUCATION AND LABOR

SUBCOMMITTEES
ELEMENTARY, SECONDARY AND
VOCATIONAL EDUCATION
LABOR-MANAGEMENT RELATIONS
EMPLOYMENT OPPORTUNITIES

SCIENCE, SPACE, AND TECHNOLOGY

SUBCOMMITTEES
ENVIRONMENT
TECHNOLOGY AND COMPETITIVENESS

Congress of the United States
House of Representatives
Washington, DC 20515-2101

1116 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-2101
(202) 225-5335
(202) 226-1224 FAX

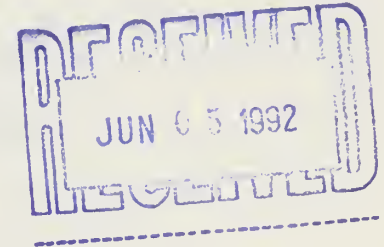
DISTRICT OFFICES
187 HIGH STREET
HOLYOKE, MA 01040
(413) 532-7010
(413) 532-6543 FAX

78 CENTER STREET
PITTSFIELD, MA 01201
(413) 442-0946
(413) 443-2792 FAX

491 MAIN STREET
ATHOL, MA 01331
(508) 249-0991
(508) 249-0940 FAX

June 2, 1992

Ms. D'Ann Sauer Kelty
Town Clerk
Town Hall
Leverett, MA 01054



Dear Ms. Kelty,

Thank you for letting me know of your town's support for sharply reducing military expenditures, and shifting those funds to meeting the needs of communities and local businesses.

I fully agree with you that we need to make significant cuts in the defense budget, and direct that spending towards improving our domestic economy, and I have been actively supporting these goals in the Congress.

Unfortunately, the House of Representatives failed to pass a bill, which I co-sponsored, to eliminate the already outdated "firewalls" which currently prevent us from shifting military spending towards domestic purposes. I also voted for a federal budget, which the House also rejected, which would have cut defense spending by \$49.6 billion in fiscal year 1993 alone. By contrast, President Bush has proposed cutting defense spending by only \$7.6 billion this year, and taking five years to cut \$50 billion. The budget adopted by the Congress calls for a cut of \$11 billion this year -- better than the President, but short of my goal.

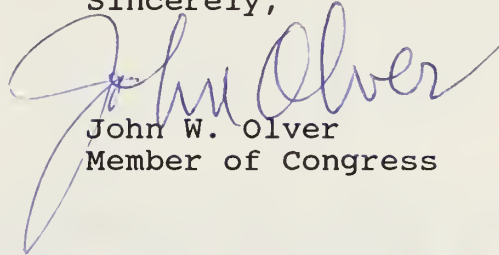
The need for these funds at home is as clear as the reduced need for them to counter a Soviet threat. We must invest in our economy -- in our workers, in our businesses, and in our communities. We owe it to our defense workers, and to every worker in this country, to help them get the skills they need to compete in today's economy.

I am supporting several pieces of legislation which will increase job training for workers, and encourage investment in our businesses. I believe the government must take a more active interest in the health of our businesses, and in helping them get the assistance they need to be more productive and compete in the world economy. I recently filed legislation, the Small Business Manufacturing Extension Act of 1992, to meet that need. I am also co-sponsoring legislation to invest significant federal

funds in our cities and towns, on desperately needed infrastructure improvements and other projects.

Thank you again for sharing the town's views with me, and please contact me again if there is any way I can be of further assistance.

Sincerely,

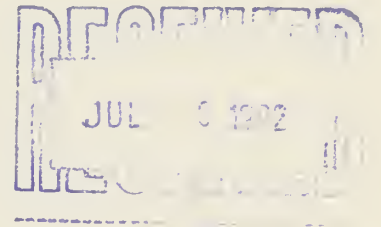
A handwritten signature in blue ink, reading "John W. Olver". The signature is fluid and cursive, with a large initial "J" and "O".

John W. Olver
Member of Congress

JWO:do

THE WHITE HOUSE
WASHINGTON

June 29, 1992



Dear Ms. Kelty:

On behalf of President Bush, thank you for sending your resolution calling for military budget reductions as adopted by the Annual Town Meeting of the Town of Leverett. The President appreciates receiving the views of State and local officials, and you may be sure that the recommendation has been fully noted.

The President sends his best wishes to you and the citizens of Leverett.

Sincerely,

Shirley M. Green
Deputy Assistant to the President
for Presidential Messages
and Correspondence

Ms. D'Ann Sauer Kelty
Town Clerk
Town of Leverett
Post Office Box 178
Leverett, Massachusetts 01054



LEVERETT SPECIAL TOWN MEETING WARRANT

September 23, 1991

Franklin, SS.

To one of the Constables of Leverett

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, that a Special Town Meeting shall be held at the Elementary School Auditorium at said Leverett on Monday, the twenty-third day of September, 1991 at 7:30 p.m. in the evening then and there to act on the following articles, namely:

Article One: To see if the Town will vote to reduce Account #151 Town Counsel, to two thousand five hundred dollars (\$2,500). (This reduces the tax levy by \$5,000.)

Article Two: To see if the Town will vote to transfer nine hundred dollars (\$900.00) from Free Cash to increase Account #162 Elections Salaries to cover the costs of the special state elections.

Article Three: To see if the Town will vote to reduce the Regional School assessment according to the provisions of Chapter 138 Section 228-231 of the Acts of 1991.

Article Four: To see if the Town will vote to reject the provisions of Chapter 138, Sections 228-231 of the Acts of 1991 which would allow the deferral of a portion of FY92 Elementary School teachers' salaries until the beginning of FY93.

Article Five: To see if the Town will vote a sum not to exceed twenty three thousand, two hundred and eighty-six dollars (\$23,286) from Free Cash to balance the FY92 budget.

Article Six: To see if the Town will vote to reduce the \$1,852,977 budget for fiscal year 1992 as voted at Annual Town Meeting in April, 1991.

Article Seven: To see if the Town will vote to reduce the Reserve Account to \$40,000. (This increases Free Cash by \$10,000.)

Article Eight: To see if the Town will transfer five hundred dollars (\$500.00) from Recreation Salaries to Recreation Expenses.

Article Nine: To see if the Town will transfer \$1,378 from Account #945 Auto Liability Insurance to Account #194 Auto Collision Insurance.

Article Ten: To see if the Town will vote to expend four hundred and nine dollars and sixty cents (\$409.60) from Free Cash to pay a bill of prior years to cover consultant's fees for the Planning Board.

Article Eleven: To see if the Town will vote two thousand two hundred and eighty dollars (\$2,280.00) from Free Cash or Stabilization to replace a furnace and burner at the Town Hall, do the necessary duct work and any other work required to be in conformance with building and fire codes.

Page 1 of 1

MINUTES
SPECIAL TOWN MEETING
SEPTEMBER 23, 1991

The meeting was called to order by Moderator Ed Gere at 7:35pm in the school gymnasium. It was moved and seconded that the Town Clerk dispense with the reading of the warrant.

Article One: Alice Rarig: I move that the town vote to reduce the Account #151 Town Counsel, to two thousand five hundred dollars. Motion was seconded. Motion carried.

Article Two: Fenna Bonsignore: I move the Town vote to transfer nine hundred dollars (\$900.00) from Free Cash to increase Account #162 Elections Salaries to cover the costs of the special state elections. Motion was seconded. Motion carried.

Article Three: Don Gibavic: I move we pass over Article Three. Motion seconded. Motion carried.

Article Four: Don Gibavic: I move we pass over Article Four. Motion seconded. Motion carried.

Article Five: Fenna Bonsignore: I move we pass over Article Five. Motion seconded. Motion carried.

Article Six: Fenna Bonsignore: I move the Town vote to reduce the budget to \$1,847,977 for fiscal year 1992. Motion seconded. Motion carried.

Article Seven: Fenna Bonsignore: I move we pass over Article Seven. Motion seconded. Motion carried.

Article Eight: Don Gibavic: I move the Town transfer five hundred dollars (\$500.00) from Recreation Salaries to Recreation Expenses. Motion seconded. Motion carried.

Article Nine: Fenna Bonsignore: I move the Town transfer \$1,378 from Account #945 Auto Liability Insurance to Account #194 Auto Collision Insurance.

Article Ten: Alice Rarig: I move the Town vote to expend four hundred and nine dollars and sixty cents (\$409.60) from Free Cash to pay a bill of prior years to cover consultant's fees for the Planning Board. Motion seconded. Recommended by Finance Committee. Motion carried: Yes votes - 41, No votes - 1.

Article Eleven: Don Gibavic: I move that the Town vote two thousand two hundred and eighty dollars (\$2,280.00) from Free Cash to replace a furnace and burner at the Town Hall, do the necessary duct work and other work required to be in conformance with building and fire codes.

Amended motion: Alice Rarig: I move that the Town vote two thousand two hundred and eighty dollars (\$2,280.00) from Free Cash to replace a furnace and burner at the Town Hall and do necessary duct work and related work. Motion seconded. Motion carried.

Article Twelve: Fenna Bonsignore: I move that the Town vote to accept the provisions of Chapter 40 Section 57 of the Massachusetts General Laws which would allow the town to deny, revoke or suspend local licenses or permits issued by any town board for the failure to pay municipal taxes or charges by passing a bylaw which incorporates the provisions of this section. Motion seconded. Motion carried.

Motion to adjourn was made, seconded and carried. Meeting was adjourned at 8:07pm.

Minutes recorded by D'Ann Sauer Kelty, Town Clerk.

Legislature Changes Rules on Teacher Salary Deferral

The rules for use or rejection of the teacher salary deferral option to balance local budgets have been changed as the result of legislation signed into law by Governor Weld last month. These changes to the method of adopting the deferral option address two concerns raised by local officials last July when the deferral was enacted as a section of the state's FY92 budget. The first change requires municipalities wishing to use the deferral option to vote to adopt it by action of the board of selectmen or town council, in the case of a town, and by vote of the city council, in the case of a city. Under prior law, municipalities wishing to use the deferral simply did not vote to reject it. The vote to reject required action by town meeting, in the case of a town.

The second change provides regional school districts with a process for rejecting use of the deferral. Under prior law, regional school districts were required to defer an amount of teacher salary and to reduce the district budget and the assessment on member municipalities by this amount. The new law allows regional school districts to reject the deferral option by a majority vote of the regional school district and a vote to reject by a majority of the member municipalities. The vote of the member municipalities is by the board of selectmen or town council, in the case of a town, and by vote of the city council, in the case of a city. While these two areas of concern have been addressed, the new law creates some problems and some traps for the unwary city or town. The first problem is that the new law eliminates any provision for deferral in FY93. Unless further legislation is enacted, the deferral is limited to one year instead of the two years originally provided. Language has been drafted to re-establish the FY93 deferral and should be filed within the next few weeks.

The new law also contains an October 15 date by which the deferral option must be adopted by a city or town if it

is going to be used and by which the option must be rejected by a regional school district and its member municipalities if it is going to be rejected. If this dates passes without action, the municipality has lost the option to use the deferral and the regional school district has lost the option to reject it.

Other provisions of the deferral law remain substantially the same. The Department of Revenue's Division of Local Services has issued a second memorandum on the deferral option describing the new law. The MMA has also followed up its earlier mailing on the deferral with a second letter outlining the benefits and problem areas.

The deferral option was included in the FY92 state budget to provide financially strapped cities and towns with an accounting means to balance FY92 budgets. Early indication are that a substantial number of municipalities and school districts will adopt it.

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17-Sep-1991 Tue 16:54

Informational Guideline Release (IGR) No. 91-1--
September 1991DRAFTAMENDMENTS TO TEACHERS' SUMMER PAY DEFERRAL

Chapter -- of the Acts of 1991
(Replacing Section 231 of Chapter 138 of the Acts of 1991)
(Amending G.L. Ch.44 Ss.56 & 56A and G.L. Ch.71 S.40)

SUMMARY:

Legislation has just been enacted to replace the law authorizing the budgetary deferral of part of teachers' pay in fiscal 1992. This legislation resolves certain problems that had arisen under the provisions of the fiscal year 1992 state budget which authorized the deferral in FY92. Sections 228-231 of Chapter 138 of the Acts of 1991. Sections 1, 2 and 3 of the legislation restore the provisions of G.L. Ch. 44 Ss.56 & 56A, and Ch. 71 S.40, respectively, to what they were before the passage of the state budget. Section 4 of the act sets out the deferral option now available to communities. The effective date of the new law is July 1, 1991.

This new legislation does not change the essential terms or calculation of the teachers' summer pay deferral. However, it makes the deferral effective only for FY92. In addition, the new law lets regional school districts reject the deferral and changes the deferral from a local option rejection to a local option acceptance provision for cities and towns. The new law provides that the board of selectmen rather than the town meeting decides whether to adopt the deferral. It also clarifies the ability of cities and towns to increase spending by appropriation from the tax levy before the FY92 tax rate is set if the local school budget or regional school assessment is reduced by a deferral.

ADDITIONAL LEGISLATION IS LIKELY TO BE PROPOSED TO CLARIFY THE CONSEQUENCES IN SUBSEQUENT FISCAL YEARS OF ANY DEFERRAL IN FY92.

GUIDELINES:

1. In order to use the teachers' summer pay deferral in FY92 for local school budgets, cities and towns must now vote to accept it on or before October 15, 1991. Acceptance in a town is by a majority vote of the selectmen or town council and in a city by a majority vote of the city council, with the approval of the mayor where required by law.

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For regional school district budgets, the deferral will be in effect for FY92 unless the district rejects it on or before October 15, 1991 by a majority vote of the regional school committee and by vote of more than half of the member communities. Rejection by member communities is also by majority vote of the selectmen, town council or city council, with the approval of the mayor where required by law. No deferral may be calculated for a regional school district until the district's budget has been approved in accordance with G.L. Ch.71 §16B.

Municipalities should take separate votes to accept the deferral for the local school system and to reject it for each regional school district to which the municipality belongs.

2. Communities and districts will continue to calculate the amount of the deferral as explained in IGR No. 91-103.
3. Assessments for regional school districts that have already been approved and then reduced on account of the deferral will be restored to their original amounts if the district rejects the deferral. Appropriations for local school budgets that had been reduced on account of the deferral will be restored to their original level unless the community votes to accept the deferral.
4. Because the deferral is only authorized for one year under the new law, any city, town or district that implements the deferral will have to raise the amount deferred in its FY93 tax rate or district budget, unless additional legislation is enacted to permit the amortization or further deferral of such amounts.
5. A city or town that has a balanced budget and does not want to use any deferral for either its local or its regional school systems will be allowed to set its tax rate without waiting for decisions whether the regional districts to which it belongs will reduce assessments on account of the deferral.
6. A city or town that has already set its tax rate using reduced assessments from a regional school district that subsequently rejects the deferral will have to pay the higher regional assessments resulting from the district's rejection of the deferral option. The additional amount of such assessment will be reflected as a deficit on the community's balance sheet at the end of FY92.

7. If a municipal tax rate submitted to the Bureau of Accounts for certification reflects a reduction in appropriations on account of an acceptance of the deferral for the local school system, it must be accompanied by a copy of the vote accepting the deferral provision.

A municipal tax rate reflecting a reduction in appropriations on account of a deferral by a regional school district must include a certification from the district superintendent that either the regional district committee or at least half the member communities of the district have voted not to reject the deferral. A copy of the attached form should be submitted with tax rate.

REVISED CHECK-OFF SHEET TO BE SUBMITTED WITH TAX RATE ?

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Ninety-one

AN ACT RELATIVE TO DEFERRING THE COMPENSATION OF CERTAIN TEACHERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately clarify the law relating to deferring of certain teachers' compensation, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience. _____

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 44 of the General Laws is hereby amended by striking out section 56, as amended by section 228 of chapter 138 of the acts of 1991, and inserting in place thereof the following section:-

Section 56. The fiscal year of all towns of the commonwealth shall begin with July first and end with the following June thirtieth, and the returns made to the director under section forty-three shall show the financial condition of the town at the close of business on June thirtieth; provided, however, that the treasurer shall, until July fifteenth, enter in his books all items for the payment of bills incurred and salaries and wages earned during the previous fiscal year, excepting payment of school teachers' salaries which have been deferred under the provisions of section forty of chapter seventy-one, and expenditures thereof shall be deemed to be as of June thirtieth preceding.

SECTION 2. Said chapter 44 is hereby further amended by striking out section 56A, as amended by section 229 of said chapter 138, and inserting in place thereof the following section:-

Section 56A. The fiscal year of all cities of the commonwealth shall begin with July first and end with the following June thirtieth, notwithstanding the provisions of their respective charters, and the returns made to the director under section forty-three shall show the financial condition of the city at the close of business on June thirtieth; provided, however, that the treasurer shall, until July fifteenth, enter in the books all items for the payment of bills incurred and the salaries and wages earned during the previ-

ous fiscal year, excepting payment of school teachers' salaries which have been deferred under the provisions of section forty of chapter seventy-one, and the expenditures therefor shall be deemed to be as of June thirtieth preceding.

SECTION 3. Section 40 of chapter 71 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 230 of said chapter 138, and inserting in place thereof the following paragraph:-

The compensation of each teacher, except a person in training and except a person employed as a temporary substitute, upon a majority vote of the respective school committee and the appropriating authority or, in the case of a regional school district, upon acceptance as provided hereafter, shall be at a rate of not less than eighteen thousand dollars or at a rate not less than twenty thousand dollars, as designated by said vote, for the school year commencing after July first, nineteen hundred and eighty-seven. In the case of a regional school district, acceptance shall require the approval of the regional school district committee and two-thirds of the appropriating authorities of the municipalities in such regional school district. The compensation paid to such teachers shall be deemed to be fully earned at the end of the school year, and proportionately earned during the school year. Payment of such compensation may be deferred to the extent that equal payments may be established for a twelve month period including amounts payable in July and August subsequent to the end of the school year. Educational collaboratives, formed under the provisions of section four E of chapter forty, may accept the provisions of this section by a majority vote of the collaborative board and the approval by a vote of the majority of the appropriating authorities of the member cities and towns.

SECTION 4. Chapter 138 of the acts of 1991 is hereby amended by striking out section 231 and inserting in place thereof the following section:-

Section 231. In any city, town or regional school district which accepts or declines to reject the provisions of this section, teachers' compensation shall be deemed to be fully earned by August thirty-first and proportionately earned during the contract year. In such fiscal year, payment of such compensation for July and August may be deferred to the end of said months at the election of such teachers; provided, however, that teachers may elect, to receive as an accelerated payment, one-tenth of such compensation each of the ten months from September to June of the contract year; and provided, further,

that teachers so receiving accelerated payments shall receive one-twentieth of such compensation on July second. Compensation in any such fiscal year shall be treated as an expenditure for the fiscal year in which the compensation is paid, provided, however, no city, town or regional school district may defer more than one-twelfth of the compensation due to any teacher in any year under the provisions of this section.

Notwithstanding the provisions of the first paragraph, for the contract year beginning September first, nineteen hundred and ninety-one and ending August thirty-first, nineteen hundred and ninety-two, payments to teachers for compensation earned for the months September through July, inclusive, of said contract year shall be made on or before June thirtieth, nineteen hundred and ninety-two, and payments to teachers for compensation for the month of August of said contract year must be made, on July second, nineteen hundred and ninety-two; provided, however, that teachers may elect to receive such August payments after such date; and provided, further, that teachers that receive one-tenth of their salaries each month from September to June of said contract year shall have one-twentieth of their salaries paid on July second, nineteen hundred and ninety-two.

Notwithstanding the provisions of any general or special law to the contrary, for the contract year beginning on September first, nineteen hundred and ninety-one and ending on August thirty-first, nineteen hundred and ninety-two, in such city, town or regional school districts where the manner of compensation described in this section would violate collective bargaining agreements in effect as of June fifteenth, nineteen hundred and ninety-one, actual payments shall be made in accordance with the terms of the collective bargaining agreement unless such payments are changed through the collective bargaining process; provided, however, that any such payments which are made in accordance with such contracts and which deviate from such payments which would otherwise be made pursuant to this section shall not be considered a budget liability to said city, town or regional school district making such payments until July second, nineteen hundred and ninety-two.

Notwithstanding the provisions of any general or special law to the contrary, for fiscal year nineteen hundred and ninety-two, the school committee of each regional school district shall, by August first, nineteen hundred and ninety-one, reduce the budget of each regional school district to reflect the reduction in expenditures that result from the provisions of this section,

shall not increase any other expenditures of such regional school district, and shall proportionately reduce the assessments on the member cities and towns of the regional school district.

Notwithstanding the foregoing provisions of this section, no reduction shall be made in the budget of any regional school district until such budget has been adopted and approved in accordance with the provisions of section sixteen B of chapter seventy-one of the General Laws.

Notwithstanding the provisions of any general or special law to the contrary, for fiscal year nineteen hundred and ninety-two, any amount of reduction in expenditures for the budget of a city or town that results from this section, including reductions in regional school assessments, if any, shall not be used to increase any other expenditures of such budgets and the budget for every city and town shall be reduced by the amount of reduction in teachers' salary payments that result from the provisions of this section, including reductions in regional school district assessments, if any. In order to reduce such budgets, the school superintendent in each city and town is hereby authorized and directed to calculate the amount of the reduction in teachers' salaries and to report the amount of such reduction to the town accountant, or to the city auditor, or to any other municipal official with authority over the municipal budget, whichever is appropriate. Such municipal official shall forthwith reduce the budget by such amount and by an amount equal to the reduction in regional school district assessments, if any.

Nothing in this section shall prohibit a city or town that has had its school budget or regional school district assessment reduced in accordance with this section from increasing its budget for any municipal purpose by appropriation.

The provisions of this section shall take effect for fiscal year nineteen hundred and ninety-two in a city upon a vote of the city council with the approval of the mayor, in a town by a vote of the board of selectmen, in a town having a town council form of government by a vote of the town council by October fifteenth, nineteen hundred and ninety-one.

The provisions of this section shall take effect for the fiscal year nineteen hundred and ninety-two in a regional school district unless the regional school district committee and a majority of the city councils, boards of selectmen, and town councils in the district vote to reject by October fifteenth, nineteen hundred and ninety-one.

In any city or town whose tax rate has been approved by the commissioners of revenue in accordance with section twenty-three of chapter fifty-nine of the General Laws before the enactment of this act, and the calculation of whose tax rate included a reduction in the amount of its local school budget or any regional school assessment on the basis of a deferral of teachers' pay in accordance with section two hundred and thirty-one of chapter one hundred and thirty-eight of the acts of nineteen hundred and ninety-one, the provisions of this chapter shall be deemed to have been accepted with respect to the amount of any such reduction in the local school budget, unless the city or town reduces appropriations by the amount of the deferral used to calculate its tax rate and the city's or town's appropriation for its regional school assessment shall be deemed to be increased by the amount of any regional school assessment that is increased on account of the regional school district's rejection of this section; to the extent that such a deemed increase in an appropriation for a regional school district assessment results in a deficit for the fiscal year ending June thirtieth, nineteen hundred and ninety-two, the city or town shall also the amount of such deficit in the fiscal year ending June thirtieth, nineteen hundred and ninety-three.

SECTION 9. This act shall take effect on July first, nineteen hundred and ninety-one.

House of Representatives, September , 1991.

Preamble adopted, , Speaker.

In Senate, September , 1991.

Preamble adopted, , President.

House of Representatives, September , 1991.

Bill passed to be enacted, , Speaker.

In Senate, September , 1991.

Bill passed to be enacted, , President.

LEVERETT ANNUAL TOWN MEETING WARRANT
APRIL 27, 1991

Franklin, SS.

To one of the Constables of Leverett

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, to meet in the Elementary School Auditorium at said Leverett, on Saturday, the 27th day of April next, at 9:30 in the forenoon (9:30 a.m.), then and there to act on the following articles, namely:

Article One: To choose all necessary town officers to serve for periods prescribed by law or town by-laws.

Article Two: To see if the Town will vote to amend the Leverett Zoning By-Laws by rewording the "Purpose Clause" and renumbering said provision as new Article I; by deleting existing Section II.A regarding grandfathered uses and substituting new Section 2250 therefor; by deleting existing Section II.B.1 regarding continuation of nonconforming uses and substituting new Section 2252 therefor; by deleting existing Sections II.B.2, II.B.3, II.B.4, and II.B.5 regarding alteration of nonconforming uses and substituting new Sections 2251, 2253, 2254 and 2255 therefor; by deleting existing Sections IV.A (first three lines of text only), IV.B, and IV.C regarding establishment of zoning districts and substituting new Section 2100 therefor; by adding a new Section 2310 and a new Section 2320 regarding construction of single or multiple structures on lots in the town; by rewording existing Section VI.F regarding rear lots, deleting the definition of "building line" therein, and renumbering said section as new Section 2330; by deleting existing Section VI.A and VI.E regarding accessory buildings and substituting new Sections 2240, 2244, 2245, 2246, and 2247 therefor; by adding a new Section 2243 regarding accessory scientific uses; by adding a new section 2242 regarding the keeping of animals (excepting agriculture); by deleting existing Section V.A.1.g regarding home occupations and substituting new Section 2241 therefor; by deleting existing Section VI.C regarding area of lots; by deleting existing Section VI.J.1 and VI.J.2 regarding prohibited uses; by deleting existing Section VI.H regarding parking and substituting new Section 3100 therefor; by deleting existing Section II.C regarding corner clearance and substituting new Section 3200 therefor; by deleting existing Section VI.I regarding signs and substituting new Section 3300 therefor; by deleting existing Section VI.N regarding erosion control and substituting new Section 3410 therefor; by adding new Sections 3420 and 3430 regarding disturbances and landscaping, respectively; by deleting existing Section VI.G regarding unregistered motor vehicles and substituting new Section 3600 therefor; by deleting existing Sections VI.J.3 and VI.J.4 regarding billboards and lighting; by deleting existing Section VI.K regarding rate of development and by substituting new Section 3700 therefor, which includes a five-year extension; by deleting existing Section VI.L regarding subdivision phasing and substituting new Section 3800 therefor; by deleting existing Section VI.M regarding site plan review and substituting new

Section 3900 therefor; by deleting existing Section VI.D regarding earth removal and substituting new Section 4200 therefor; by deleting existing Section V.A.3 regarding campers and campgrounds and substituting new Section 4100 therefor; by deleting existing Sections IV.F and V.F. regarding aquifer protection districts and substituting new Section 4300 therefor; by deleting existing Sections IV.E and V.E regarding flood hazard districts and substituting new Section 4400 therefor; by adding a new Section 4600 regarding scenic roads protection; by deleting existing Sections VII, VIII, IX, X and XI regarding, respectively, enforcement, penalty, zoning board of appeals, other regulations, and validity, and substituting new Article V (Administration) therefor; and by deleting existing Section III in its entirety, regarding definitions, by deleting the definition of "non-conforming use" in existing Section II.B, and by substituting new Article VI (Definitions) therefor; so that Articles I, II, III, IV, V, and VI, of the Leverett Zoning By-Laws shall appear as on file with the Town Clerk. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

PASSED: Yes 149, No 27

Article Three: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section V.A, V.B, and V.C in their entirety regarding use regulations and by deleting existing Section V.A.4 regarding retail grocery or general stores in Village Residential districts and by substituting new Section 2200 therefor, which provides a schedule of principal use regulations. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

PASSED as amended on floor: Yes 126, No 33

Article Four: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section IV.A's "Basic Lot Size" table and the Table of Dimensional Requirements appended to the existing By-Laws and substituting new Section 2340 therefor, which provides a table of dimensional requirements. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

CARRIED: Yes 102, No 32

Article Five: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 2400, Accessory Apartments. An Accessory Apartment is a small dwelling unit (not to exceed 800 sq. ft.) within a single-family residence. The by-law is intended to allow the creation of such units to promote affordable housing alternatives, particularly for elderly Leverett residents. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

CARRIED: Yes 117, No 6

Article Six: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section VI.B regarding driveways and substituting new Section 3500, which is substantially a rewording and renumbering of same. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

CARRIED: Yes 82, No 28

Article Seven: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Sections IV.D and V.D regarding the stream and lake protection district and substituting new Section 4500 therefor. The revised by-law restricts the use of land within certain distances of water bodies in Leverett. The complete text of this article is on file with the Town Clerk and

is incorporated herein by reference.

PASSED: Yes 105, No 15

Article Eight: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4800 regarding flexible development. Flexible Development is intended to allow residential construction on larger parcels of land without strict adherence to the bulk requirements of the zoning by-law, as long as the development first obtains a special permit from the Planning Board, leaves at least 30% of the parcel as usable open space, and observes strict design guidelines. Nothing in this article is intended to eliminate the statutory right to develop land through the Subdivision Control Law. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

CARRIED: Yes 104, No 10

Article Nine: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4700 regarding upper elevation site plan review. The proposed by-law would affect only construction in excess of 50 feet (vertical) above an abutting public way. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

FAILED: Yes 90, No 67 (two thirds vote needed to pass)

Article Ten: To see if the town will vote to authorize the Town Treasurer, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue for the financial year beginning July 1, 1991, in accordance with the provisions of the MGL Chapter 44, Section 4, and to issue a note or notes therefore, payable within one year, and to renew any notes that may be given for a period of less than one year in accordance with MGL Chapter 44 Section 17.

PASSED OVER

Article Eleven: To see if the town will vote to raise and appropriate such sums of money as shall be necessary to meet town expenses.

PASSED: Budget of \$1,852,977.

Article Twelve: To see if the Town will vote to appropriate ONE HUNDRED AND NINETY-TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$192,500) for capital costs associated with purchasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; to determine whether these appropriations shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: Selectboard
School Committee

CARRIED: Yes 134, No 51

Article Thirteen: To see if the Town will vote to raise and appropriate ONE HUNDRED AND NINETY TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$192,500) for capital costs associated with purchasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; or to take any other action relative thereto.

Sponsor: School Committee

PASSED OVER

Article Fourteen: To see if the Town will vote to appropriate NINETY-NINE THOUSAND DOLLARS (\$99,000) for capital costs associated with leasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; to determine whether these appropriations shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: School committee

PASSED OVER

Article Fifteen: To see if the Town will vote to raise and appropriate or to otherwise provide FORTY THOUSAND DOLLARS (\$40,000) for the costs of one year's rental of a two-classroom portable building for the Leverett Elementary School; or to take any other action relative thereto.

Sponsor: School Committee

PASSED OVER

Article Sixteen: To see if the Town will vote to raise and appropriate ONE HUNDRED AND THIRTY-NINE THOUSAND DOLLARS (\$139,000) for capital costs and the cost of one year's rental associated with leasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; or to take any other action relative thereto.

Sponsor: School committee

PASSED OVER

Article Seventeen: To see if the town will vote to appropriate THIRTY FIVE THOUSAND DOLLARS (\$35,000) to remove and replace the fuel oil tank at the Leverett Elementary School; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: Selectboard
School Committee

CARRIED: Yes 101, No 2

Article Eighteen: To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of TWO THOUSAND AND EIGHT HUNDRED DOLLARS (\$2,800) to paint the Bradford M. Field Memorial Library.

Sponsor: Library trustees

CARRIED: Yes 117, No 45

Article Nineteen: To see if the town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) for clay, loam and other materials and equipment rental in order to close and cap the landfill.

Sponsor: Selectboard

CARRIED UNANIMOUSLY

Article Twenty: To see if the town will vote to transfer the sum of FIFTY THOUSAND DOLLARS (\$50,000) from free cash to the Reserve Account.

Sponsor: Selectboard .

CARRIED

Article Twenty-one: To see if the town will vote to raise and appropriate, transfer from available funds, expend from stabilization, borrow or otherwise provide the sum of SIX THOUSAND DOLLARS (\$6,000) to repair the bridge on Coke Kiln Road over the Saw Mill River.

Sponsor: Selectboard

CARRIED

Article Twenty-two: To see if the Town will vote to accept the provisions of Chapter 291 of the Acts of 1990, thereby allowing the Town to receive Enhanced 9-1-1 service as defined in said Act and, if acceptance and notification to the Secretary of the Commonwealth of said acceptance occur on or before December 11, 1991, the Town will also receive, at no cost to it, the benefits of Enhanced 9-1-1 network features and components and other Enhanced 9-1-1 network features that may be made available by the Statewide Emergency Telecommunications Board.

Sponsor: Police and Fire
Selectboard

PASSED UNANIMOUSLY

Article Twenty-three: To see if the town will vote to accept the renumbering of various bylaws approved by the Town Meeting from their original numbering to the numbering, codification, arrangement, sequence and captions as set forth in the Code of Leverett, dated 1988, and published by General Code Publishers of Rochester, New York; said codification having been done under the direction of the Board of Selectmen, Town Counsel and Town Clerk and said code being a compilation of the present bylaws of the town and having no substantive changes or deletions in the text thereof. The Zoning bylaws will not be included in this Code.

Sponsor: Selectboard and Town Clerk

CARRIED

Article Twenty-four: To see if the town will vote to amend Chapter 3 Section 1 of the Code of Leverett to increase the number of Bradford M. Field Memorial Library Trustees from 5 to 6. The complete text of this proposed bylaw change is on file with the Town Clerk and incorporated by reference herein.

Sponsor: Library Trustees

CARRIED

Article Twenty-five: To see if the town will vote to adopt a Personnel Bylaw pursuant to the authority of MGL Chapter 41, Section 108A. A complete text of this proposed amendment to the Code of Leverett is on file with the Town Clerk.

Sponsor: AD HOC Personnel Committee

CARRIED

Article Twenty-six: To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of ONE THOUSAND FIVE HUNDRED AND FORTY DOLLARS (\$1,540) to update the Code of Leverett, as published in 1988 by General Code Publishers, in order to remove the zoning bylaws and make necessary additions and corrections to the text.

Sponsor: Selectboard and Town Clerk

CARRIED

Article Twenty-seven: To see if the Town will vote that effective July 1, 1991 all fees collected by the Town Clerk be paid into the Town General Revenue Account and not be retained by the Town Clerk.

CARRIED

Article Twenty-eight: To see if the Town will vote to amend Chapter 5 Section 1 of the Leverett Code entitled "Selectmen: powers, duties, intent" by adding the sentence: *"The Board of Selectmen shall have the authority to enter into contracts for the provision of goods and services for all areas of town government over which they have jurisdiction."* The complete text of this proposed amendment is on file with the Town Clerk and is incorporated by reference herein.

CARRIED UNANIMOUSLY

Article Twenty-nine: To see if the Town will vote to take from available funds the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) to reduce the tax rate for Fiscal Year 1992.

Sponsor: Selectboard

CARRIED

And you are directed to serve this Warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, seven days at least before the day of said meeting.

Given under our hands this first day of April, A.D., 1991.

SELECTBOARD OF LEVERETT



FENNA LEE BONSIGNORE

A true copy I attest:

D Ann Sauer Kelly
Town Clerk


DONALD L. GIBAVIE
ALICE J. RARIG

I have served this Warrant as directed therein.

Date: 4/15/91 Constable: E. H. W. Hammond

LEVERETT ANNUAL TOWN MEETING WARRANT
APRIL 27, 1991

Franklin, SS.

To one of the Constables of Leverett
GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the inhabitants of Leverett, qualified to vote in the Town affairs, to meet in the Elementary School Auditorium at said Leverett, on Saturday, the 27th day of April next, at 9:30 in the forenoon (9:30 a.m.), then and there to act on the following articles, namely:

Article One: To choose all necessary town officers to serve for periods prescribed by law or town by-laws.

Article Two: To see if the Town will vote to amend the Leverett Zoning

By-Laws by rewording the "Purpose Clause" and renumbering said provision as new Article I; by deleting existing Section II.B.3 regarding grandfathered uses and substituting new Section 2260 therefor; by deleting existing Section II.B.4 regarding continuation of nonconforming uses and substituting new Section 2252 therefor; by deleting existing Sections II.B.5, II.B.6, II.B.7, and II.B.8 regarding alteration of nonconforming uses and substituting new Sections 2251, 2253, 2254 and 2255 therefor; by deleting existing Sections IV.A (first three lines of text only), IV.B, and IV.C regarding establishment of zoning districts and substituting new Section 2100 therefor; by adding a new Section 2211 and a new Section 2320 regarding construction of single or multiple structures on lots in the Town; by rewording existing Section VI.F regarding rear lots, deleting the definition of "building line" therein, and renumbering said section as new Section 2130; by deleting existing Section VI.A and VI.E regarding accessory buildings and substituting new Sections 2240, 2241, 2242, 2246, and 2247 therefor; by adding a new Section 2243 regarding accessory scientific uses; by adding a new section 2242 regarding the keeping of animals (excepting agriculture); by deleting existing Section V.A.1.g regarding home occupations and substituting new Section 2241 therefor; by deleting existing Section VI.C regarding area of lots; by deleting existing Section VI.D.1 and VI.D.2 regarding prohibited uses; by deleting existing Section VI.H regarding parking and substituting new Section 3100 therefor; by deleting existing Section II.C regarding corner clearance and substituting new Section 3200 therefor; by deleting existing Section VI.I regarding signs and substituting new Section 3300 therefor; by deleting existing Section VI.N regarding erosion control and substituting new Section 3410 therefor; by adding new Sections 3420 and 3430 regarding disturbances and landscaping, respectively; by deleting existing Section VI.G regarding unregistered motor vehicles and substituting new Section 3600 therefor; by deleting existing Sections VI.J.3 and VI.J.4 regarding billboards and lighting; by deleting existing Section VI.K regarding rate of development and by substituting new Section 3700 therefor, which includes a five-year extension; by deleting existing Section VI.L regarding subdivision phasing and substituting new Section 3800 therefor; by deleting existing Section VI.M regarding site plan review and substituting new

Section 3900 therefor; by deleting existing Section VI.D regarding earth removal and substituting new Section 4200 therefor; by deleting existing Section V.A.3 regarding campers and campgrounds and substituting new Section 4100 therefor; by deleting existing Sections IV.F and V.F regarding aquifer protection districts and substituting new Section 4300 therefor; by deleting existing Sections IV.E and V.E regarding flood hazard districts and substituting new Section 4400 therefor; by adding a new Section 4600 regarding scenic roads protection; by deleting existing Sections VII, VIII, IX, X and XI regarding, respectively, enforcement, penalty, zoning board of appeals, other regulations, and validity, and substituting new Article V (Administration) therefor; and by deleting existing Section III in its entirety, regarding definitions, by deleting the definition of "non-conforming use" in existing Section II.B, and by substituting new Article VI (Definitions) therefor; so that Articles I, II, III, IV, V, and VI, of the Leverett Zoning By-Laws shall appear as on file with the Town Clerk. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Three: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section V.A, V.B, and V.C in their entirety regarding use regulations and by deleting existing Section V.A.4 regarding retail grocery or general stores in Village Residential districts and by substituting new Section 2200 therefor, which provides a schedule of principal use regulations. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Four: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section IV.A's "Basic Lot Size" table and the Table of Dimensional Requirements appended to the existing By-Laws and substituting new Section 2340 therefor, which provides a table of dimensional requirements. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Five: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 2400, Accessory Apartments. An Accessory Apartment is a small dwelling unit (not to exceed 800 sq. ft.) within a single-family residence. The by-law is intended to allow the creation of such units to promote affordable housing alternatives, particularly for elderly Leverett residents. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Six: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section VI.B regarding driveways and substituting new Section 3500, which is substantially a rewording and renumbering of same. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Seven: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Sections IV.D and V.D regarding the stream and lake protection district and substituting new Section 4500 therefor. The revised by-law restricts the use of land within certain distances of water bodies in Leverett. The complete text of this article is on file with the Town Clerk and

A TRUE COPY ATTEST:
D'Ann Sever Kelly
Town Clerk

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is incorporated herein by reference.

Article Eight: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4800 regarding flexible development. Flexible Development is intended to allow residential construction on larger parcels of land without strict adherence to the bulk requirements of the zoning by-law, as long as the development first obtains a special permit from the Planning Board, leaves at least 30% of the parcel as usable open space, and observes strict design guidelines. Nothing in this article is intended to eliminate the statutory right to develop land through the Subdivision Control Law. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Nine: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4700 regarding upper elevation site plan review. The proposed by-law would affect only construction in excess of 50 feet (vertical) above an abutting public way. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Ten: To see if the town will vote to authorize the Town Treasurer, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue for the financial year beginning July 1, 1991, in accordance with the provisions of the MGL Chapter 44, Section 4, and to issue a note or notes therefore, payable within one year, and to renew any notes that may be given for a period of less than one year in accordance with MGL Chapter 44 Section 17.

Article Eleven: To see if the town will vote to raise and appropriate such sums of money as shall be necessary to meet town expenses.

Article Twelve: To see if the Town will vote to appropriate ONE HUNDRED AND NINETY-TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$192,500) for capital costs associated with purchasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; to determine whether these appropriations shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: Selectboard
School Committee

Article Thirteen: To see if the Town will vote to raise and appropriate ONE HUNDRED AND NINETY-TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$192,500) for capital costs associated with purchasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; or to take any other action relative thereto.

Sponsor: School Committee

Article Fourteen: To see if the Town will vote to appropriate NINETY-NINE THOUSAND DOLLARS (\$99,000) for capital costs associated with leasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; to determine whether these appropriations shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: School committee

Article Fifteen: To see if the Town will vote to raise and appropriate or to otherwise provide FORTY THOUSAND DOLLARS (\$40,000) for the costs of one year's rental of a two-classroom portable building for the Leverett Elementary School; or to take any other action relative thereto.

Sponsor: School Committee

Article Sixteen: To see if the Town will vote to raise and appropriate ONE HUNDRED AND THIRTY-NINE THOUSAND DOLLARS (\$139,000) for capital costs and the cost of one year's rental associated with leasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; or to take any other action relative thereto.

Sponsor: School committee

Article Seventeen: To see if the town will vote to appropriate THIRTY-FIVE THOUSAND DOLLARS (\$35,000) to remove and replace the fuel oil tank at the Leverett Elementary School; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: Selectboard
School Committee

Article Eighteen: To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of TWO THOUSAND AND EIGHT HUNDRED DOLLARS (\$2,800) to paint the Bradford M. Field Memorial Library.

Sponsor: Library trustees

Article Nineteen: To see if the town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) for clay, loam and other materials and equipment rental in order to close and cap the landfill.

Sponsor: Selectboard

Article Twenty: To see if the town will vote to transfer the sum of FIFTY THOUSAND DOLLARS (\$50,000) from free cash to the Reserve Account.

Sponsor: Selectboard

Article Twenty-one: To see if the town will vote to raise and appropriate, transfer from available funds, expend from stabilization, borrow or otherwise provide the sum of SIX THOUSAND DOLLARS (\$6,000) to repair the bridge on Coke Kiln Road over the Saw Mill River.

Sponsor: Selectboard

Article Twenty-two: To see if the Town will vote to accept the provisions of Chapter 291 of the Acts of 1990, thereby allowing the Town to receive Enhanced 9-1-1 service as defined in said Act and, if acceptance and notification to the Secretary of the Commonwealth of said acceptance occur on or before December 11, 1991, the Town will also receive, at no cost to it, the benefits of Enhanced 9-1-1 network features and components and other Enhanced 9-1-1 network features that may be made available by the Statewide Emergency Telecommunications Board.

Sponsor: Police and Fire
Selectboard

Article Twenty-three: To see if the town will vote to accept the renumbering of various bylaws approved by the Town Meeting from their original numbering to the numbering, codification, arrangement, sequence and captions as set forth in the Code of Leverett, dated 1988, and published by General Code Publishers of Rochester, New York; said codification having been done under the direction of the Board of Selectmen, Town Counsel and Town Clerk and said code being a compilation of the present bylaws of the town and having no substantive changes or deletions in the text thereof. The Zoning bylaws will not be included in this code.

Sponsor: Selectboard and Town Clerk

Article Twenty-four: To see if the town will vote to amend Chapter 3 Section 1 of the Code of Leverett to increase the number of Bradford W. Field Memorial Library Trustees from 5 to 6. The complete text of this proposed bylaw change is on file with the Town Clerk and incorporated by reference herein.

Sponsor: Library Trustees

Article Twenty-five: To see if the town will vote to adopt a Personnel Bylaw pursuant to the authority of MGL Chapter 41, Section 108A. A complete text of this proposed amendment to the Code of Leverett is on file with the Town Clerk.

Sponsor: AD HOC Personnel Committee

Article Twenty-six: To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of ONE THOUSAND FIVE HUNDRED AND FORTY DOLLARS (\$1,540) to update the Code of Leverett, as published in 1988 by General Code Publishers, in order to remove the zoning bylaws and make necessary additions and corrections to the text.

Sponsor: Selectboard and Town Clerk

Article Twenty-seven: To see if the Town will vote that effective July 1, 1991 all fees collected by the Town Clerk be paid into the Town General Revenue Account and not be retained by the Town Clerk.

Article Twenty-eight: To see if the Town will vote to amend Chapter 5 Section 1 of the Leverett Code entitled "Selectmen: powers, duties, intent" by adding the sentence: "The Board of Selectmen shall have the authority to enter into contracts for the provision of goods and services for all areas of town government over which they have jurisdiction." The complete text of this proposed amendment is on file with the Town Clerk and is incorporated by reference herein.

Article Twenty-nine: To see if the Town will vote to take from available funds the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) to reduce the tax rate for Fiscal Year 1992.

Sponsor: Selectboard

and you are directed to serve this Warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, seven days at least before the day of said meeting.

Given under our hands this first day of April, A.D., 1991.

SELECTBOARD OF LEVERETT

F. J. Lee

FENNA LEE BONSIGNORE

Donald L. Gibbard

DONALD L. GIBBARD

Alice J. Razig

ALICE J. RAZIG

A true copy I attest:

Debra L. Kelley
Town Clerk

I have served this warrant as directed therein.

Date: 4/15/91 Constable: Edmund J. Stevens

LEVERETT ANNUAL TOWN MEETING WARRANT
APRIL 27, 1991

Franklin, SS.

To one of the Constables of Leverett

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, to meet in the Elementary School Auditorium at said Leverett, on Saturday, the 27th day of April next, at 9:30 in the forenoon (9:30 a.m.), then and there to act on the following articles, namely:

Article One: To choose all necessary town officers to serve for periods prescribed by law or town by-laws.

Article Two: To see if the Town will vote to amend the Leverett Zoning By-Laws by rewording the "Purpose Clause" and renumbering said provision as new Article I; by deleting existing Section II.A regarding grandfathersed uses and substituting new Section 2250 therefor; by deleting existing Section II.B.1 regarding continuation of nonconforming uses and substituting new Section II.B.4 and II.B.5 regarding alteration of Sections II.B.2, II.B.3, substituting new Sections 2251, 2253, 2254 and 2255 therefor; by deleting existing Sections IV.A (first three lines of text only), IV.B, and IV.C regarding establishment of zoning districts and substituting new Section 2200 therefor; by adding a new Section 2310 and a new Section 2320 regarding construction of single or multiple structures on lots in the town; by rewording existing Section VI.F regarding rear lots, deleting the definition of "building line" therein, and renumbering said section as new Section 3300; by deleting existing Section VI.A and VI.E regarding accessory buildings and substituting new Sections 2240, 2241, 2245, 2246, and 2247 therefor; by adding a new Section 2243 regarding accessory scientific uses; by adding a new section 2242 regarding the keeping of animals (excepting agriculture); by deleting existing Section V.A.1-g regarding home occupations and substituting new Section 2241 therefor; by deleting existing Section VI.C regarding area of lots; by deleting existing Section VI.J.1 and VI.J.2 regarding prohibited uses; by deleting existing Section VI.H regarding parking and substituting new Section 3100 therefor; by deleting existing Section II.C regarding corner clearance and substituting new Section 3200 therefor; by deleting existing Section VI.I regarding signs and substituting new Section 3300 therefor; by deleting existing Section VI.N regarding erosion control and substituting new Section 3410 therefor; by adding new Sections 3420 and 3430 regarding disturbances and landscaping, respectively; by deleting existing Section VI.G regarding unregistered motor vehicles and substituting new Section 3600 therefor; by deleting existing Sections VI.J.3 and VI.J.4 regarding billboards and lighting; by deleting existing Section VI.K regarding rate of development and by substituting new Section 3700 therefor, which includes a five-year extension; by deleting existing Section VI.L regarding subdivision phasing and substituting new Section 3800 therefor; by deleting existing Section VI.M regarding site plan review and substituting new

Section 3900 therefor; by deleting existing Section VI.D regarding earth removal and substituting new Section 4200 therefor; by deleting existing Section V.A.3 regarding campers and campgrounds and substituting new Section 4100 therefor; by deleting existing Sections IV.F and V.F. regarding aquifer protection districts and substituting new Section 4300 therefor; by deleting existing Sections IV.E and V.E regarding flood hazard districts and substituting new Section 4400 therefor; by adding a new Section 4600 regarding scenic roads protection; by deleting existing Sections VII, VIII, IX, X and XI regarding, respectively, enforcement, penalty, zoning board of appeals, other regulations, and validity, and substituting new Article V (Administration) therefor; and by deleting existing Section III in its entirety, regarding definitions, by deleting the definition of "non-conforming use" in existing Section II.B, and by substituting new Article VI (Definitions) therefor; so that Articles I, II, III, IV, V, and VI, of the Leverett Zoning By-Laws shall appear as on file with the Town Clerk. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Three: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section I.A, V.B, and VI.F in their entirety regarding use regulations and by deleting existing Section V.A.4 regarding retail grocery or general stores in Village Residential districts and by substituting new Section 2200 therefor, which provides a schedule of principal use regulations. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Four: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section IV.A's "Basic Lot Size" table and the Table of Dimensional Requirements appended to the existing By-Laws and substituting new Section 2340 therefor, which provides a table of dimensional requirements. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Five: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 2400, Accessory Apartments. An Accessory Apartment is a small dwelling unit (not to exceed 800 sq. ft.) within a single-family residence. The by-law is intended to allow the creation of such units to promote affordable housing alternatives, particularly for elderly Leverett residents. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Six: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section VI.B regarding driveways and substituting new Section 3500, which is substantially a rewording and renumbering of same. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Seven: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Sections IV.D and V.D regarding the stream and lake protection district and substituting new Section 4500 therefor. The revised by-law restricts the use of land within certain distances of water bodies in Leverett. The complete text of this article is on file with the Town Clerk and

A TRUE COPY ATTEST:
D Ann Susan Kelly
Town Clerk

is incorporated herein by reference.

Article Eight: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4800 regarding flexible development. Flexible Development is intended to allow residential construction on larger parcels of land without strict adherence to the bulk requirements of the zoning by-law, as long as the development first obtains a special permit from the Planning Board, leaves at least 30% of the parcel as usable open space, and observes strict design guidelines. Nothing in this article is intended to eliminate the statutory right to develop land through the Subdivision Control Law. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Nine: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4700 regarding upper elevation site plan review. The proposed by-law would affect only construction in excess of 50 feet (vertical) above an abutting public way. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Ten: To see if the town will vote to authorize the Town Treasurer, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue for the financial year beginning July 1, 1991, in accordance with the provisions of the MGL Chapter 44, Section 4, and to issue a note or notes therefore, payable within one year, and to renew any notes that may be given for a period of less than one year in accordance with MGL Chapter 44 Section 17.

Article Eleven: To see if the town will vote to raise and appropriate such sums of money as shall be necessary to meet town expenses.

Article Twelve: To see if the Town will vote to appropriate ONE HUNDRED AND NINETY-TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$192,500) for capital costs associated with purchasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; to determine whether these appropriations shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: Selectboard
School Committee

Article Thirteen: To see if the Town will vote to raise and appropriate ONE HUNDRED AND NINETY TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$192,500) for capital costs associated with purchasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; or to take any other action relative thereto.

Sponsor: School Committee

Article Fourteen: To see if the Town will vote to appropriate NINETY-NINE THOUSAND DOLLARS (\$99,000) for capital costs associated with leasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; to determine whether these appropriations shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: School committee

Article Fifteen: To see if the Town will vote to raise and appropriate or to otherwise provide FORTY THOUSAND DOLLARS (\$40,000) for the costs of one year's rental of a two-classroom portable building for the Leverett Elementary School; or to take any other action relative thereto.

Sponsor: School Committee

Article Sixteen: To see if the Town will vote to raise and appropriate ONE HUNDRED AND THIRTY-NINE THOUSAND DOLLARS (\$139,000) for capital costs and the cost of one year's rental associated with leasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; or to take any other action relative thereto.

Sponsor: School committee

Article Seventeen: To see if the town will vote to appropriate FIFTY FIVE THOUSAND DOLLARS (\$55,000) to remove and replace the fuel oil tank at the Leverett Elementary School; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: Selectboard
School Committee

Article Eighteen: To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of TWO THOUSAND AND EIGHT HUNDRED DOLLARS (\$2,800) to paint the Bradford M. Field Memorial Library.

Sponsor: Library trustees

Article Nineteen: To see if the town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) for clay, loam and other materials and equipment rental in order to close and cap the landfill.

Sponsor: Selectboard

Article Twenty: To see if the town will vote to transfer the sum of FIFTY THOUSAND DOLLARS (\$50,000) from free cash to the Reserve Account,

Sponsor: Selectboard

Article Twenty-one: To see if the town will vote to raise and appropriate, transfer from available funds, expend from stabilization, borrow or otherwise provide the sum of SIX THOUSAND DOLLARS (\$6,000) to repair the bridge on Coke Kiln Road over the Saw Mill River.

Sponsor: Selectboard

Article Twenty-two: To see if the Town will vote to accept the provisions of Chapter 291 of the Acts of 1990, thereby allowing the Town to receive Enhanced 9-1-1 service as defined in said Act and, if acceptance and notification to the Secretary of the Commonwealth of said acceptance occur on or before December 11, 1991, the Town will also receive, at no cost to it, the benefits of Enhanced 9-1-1 network features and components and other Enhanced 9-1-1 network features that may be made available by the Statewide Emergency Telecommunications Board.

Sponsor: Police and Fire
Selectboard

Article Twenty-three: To see if the town will vote to accept the renumbering of various bylaws approved by the Town Meeting from their original numbering to the numbering, codification, arrangement, sequence and captions as set forth in the Code of Leverett, dated 1988, and published by General Code Publishers of Rochester, New York; said codification having been done under the direction of the Board of Selectmen, Town Counsel and Town Clerk and said code being a compilation of the present bylaws of the town and having no substantive changes or deletions in the text thereof. The Zoning bylaws will not be included in this Code.

Sponsor: Selectboard and Town Clerk

Article Twenty-four: To see if the town will vote to amend Chapter 3 Section 1 of the Code of Leverett to increase the number of Bradford M. Field Memorial Library Trustees from 5 to 6. The complete text of this proposed bylaw change is on file with the Town Clerk and incorporated by reference herein.

Sponsor: Library Trustees

Article Twenty-five: To see if the town will vote to adopt a Personnel Bylaw pursuant to the authority of 92A Chapter 41, Section 108A. A complete text of this proposed amendment to the Code of Leverett is on file with the Town Clerk.

Sponsor: AD HOC Personnel Committee

Article Twenty-six: To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of ONE THOUSAND FIVE HUNDRED AND FORTY DOLLARS (\$1,540) to update the Code of Leverett, as published in 1988 by General Code Publishers, in order to remove the zoning bylaws and make necessary additions and corrections to the text.

Sponsor: Selectboard and Town Clerk

Article Twenty-seven: To see if the Town will vote that effective July 1, 1991 all fees collected by the Town Clerk be paid into the Town General Revenue Account and not be retained by the Town Clerk.

Article Twenty-eight: To see if the Town will vote to amend Chapter 5 Section 1 of the Leverett Code entitled "Selectmen: powers, duties, intent" by adding the sentence: "The Board of Selectmen shall have the authority to enter into contracts for the provision of goods and services for all areas of town government over which they have jurisdiction." The complete text of this proposed amendment is on file with the Town Clerk and is incorporated by reference herein.

Article Twenty-nine: To see if the Town will vote to take from available funds the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) to reduce the tax rate for Fiscal Year 1992.

Sponsor: Selectboard

And you are directed to serve this Warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, seven days at least before the day of said meeting.

Given under our hands this first day of April, A.D., 1991.

SELECTBOARD OF LEVERETT

FENNA LEE BONSIGNORE

A true copy I attest:

William Sauer Kelley
Town Clerk

DONALD L. GIBAUD

ALICE J. RAYIG

I have served this warrant as directed therein.

Date: 4/15/91 Constable: Edmund J. Edwards



TOWN OF LEVERETT
Massachusetts 01054

Annual Town Meeting articles, April 27, 1991:

Article 11, FY92 budget: \$1,852,977.

Article 12, portable classrooms and well: borrow \$192,500
(vote: yes 134, no 51)

Article 17, fuel oil tank at school: borrow \$31,492, Sale of Real Estate
Account \$3,508
(vote: yes 101, no 2)

Article 18, Library painting: raise and appropriate \$2,800.
(vote: yes 117, no 45)

Article 19, clay loam and other materials and equipment rental for dump,
\$15,000 from free cash (vote: unanimous)

Article 20, reserve account: \$50,000 from free cash (motion carried)

Article 21, repair Coke Kiln bridge: \$6,000 from free cash (motion carried)

Article 26, General Code updates: \$1,540 from free cash (motion carried)

Article 29; transfer \$15,000 from free cash to reduce tax rate. (motion carried)

A true copy attest

D'Ann Sauer Kelty

D'Ann Sauer Kelty



TOWN OF LEVERETT
Massachusetts 01054

Annual Town Meeting articles, April 27, 1991:

Article 11, FY92 budget: \$1,852,977.

Article 12, portable classrooms and well: borrow \$192,500
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Article 17, fuel oil tank at school: borrow \$31,492, Sale of Real Estate
Account \$3,508
(vote: yes 101, no 2)

Article 18, Library painting: raise and appropriate \$2,800.
(vote: yes 117, no 45)

Article 19, clay loam and other materials and equipment rental for dump,
\$15,000 from free cash (vote: unanimous)

Article 20, reserve account: \$50,000 from free cash (motion carried)

Article 21, repair Coke Kiln bridge: \$6,000 from free cash (motion carried)

Article 26, General Code updates: \$1,540 from free cash (motion carried)

Article 29; transfer \$15,000 from free cash to reduce tax rate. (motion carried)

A true copy attest

D'Ann Sauer Kelty

D'Ann Sauer Kelty

MINUTES
LEVERETT ANNUAL TOWN MEETING
APRIL 27, 1991, RECONVENED JUNE 12, 1991

The Annual Town Meeting was called to order in the Leverett Elementary School gymnasium at 9:30 am by Moderator Ed Gere. A quorum (56 voters) was present. An invocation was given by Nancy Emond. After a few brief announcements, Ed appointed Ben Minks, Bob Stachowiak and Tim Sheard to act as tellers when needed. Ed also announced that at the close of business of this warrant, the meeting would be recessed until after the Proposition 2 1/2 override vote scheduled for June 4, 1991.

The Moderator called upon Town Clerk D'Ann Kelty to read the warrant. There was a motion, duly seconded, to dispense with reading the warrant. Motion carried.

Article One: To choose all necessary town officers to serve for periods prescribed by law or town by-laws.

Ed announced that in the case of two seats on the same board, with the same term, the vote would be taken simultaneously, with the two largest vote getters being declared the winners.

The election proceeded as follows (winners denoted by *):

Assistant Moderator, 1 year term: Richard Howland *

Auditor, 1 year term: Steve Nagy *

Selectboard, 3 year term: Alice Rarig 136 votes *

Sondra Corcoran 49 votes

Board of Health, 1 seat, 3 year term: Pamela Blinn *

1 seat, 1 year term: Matthew Corcoran *

Assessor, 3 year term: Steve Ball *

School Committee, 2 seats, 3 year terms: Charles Paulin
175 votes *

Peter May 97

votes

Judith Fonsh 98

votes *

Finance Committee, 2 seats, 3 year terms: Jackie McNeal *

Dennis Paquette *

Library Trustees, 2 seats, 3 year terms: Susan Nagy *

Robert Schuyler *

Planning Board, 2 seats, 5 year terms: Jeff McQueen *

Sidney Poritz *

Constable, 3 year term: Ethan Howard *

Tree Warden, 1 year term: Will Stratford *

(Elections finished at 10:35am; each walk through election took about 15 minutes.)

During the elections, words of thanks were spoken on behalf of service to the town by John Link, outgoing member of the Board of Health and Ellis Landset and Arnold Glazier, both outgoing members of the Planning Board.

Article Two: To see if the Town will vote to amend the Leverett Zoning By-Laws by rewording the "Purpose Clause" and renumbering said provision as new Article I; by deleting existing Section II.A regarding grandfathered uses and substituting new Section 2250 therefor; by deleting existing Section II.B.1 regarding continuation of nonconforming uses and substituting new Section 2252 therefor; by deleting existing Sections II.B.2, II.B.3, II.B.4, and II.B.5 regarding alteration of nonconforming uses and substituting new Sections 2251, 2253, 2254 and 2255 therefor; by deleting existing Sections IV.A (first three lines of text only), IV.B, and IV.C regarding establishment of zoning districts and substituting new Section 2100 therefor; by adding a new Section 2310 and a new Section 2320 regarding construction of single or multiple structures on lots in the town; by rewording existing Section VI.F regarding rear lots, deleting the definition of "building line" therein, and renumbering said section as new Section 2330; by deleting existing Section VI.A and VI.E regarding accessory buildings and substituting new Sections 2240, 2244, 2245, 2246, and 2247 therefor; by adding a new Section 2243 regarding accessory scientific uses; by adding a new section 2242 regarding the keeping of animals (excepting agriculture); by deleting existing Section V.A.1.g regarding home occupations and substituting new Section 2241 therefor; by deleting existing Section VI.C regarding area of lots; by deleting existing Section VI.J.1 and VI.J.2 regarding prohibited uses; by deleting existing Section VI.H regarding parking and substituting new Section 3100 therefor; by deleting existing Section II.C regarding corner clearance and substituting new Section 3200 therefor; by deleting existing Section VI.I regarding signs and substituting new Section 3300 therefor; by deleting existing Section VI.N regarding erosion control and substituting new Section 3410 therefor; by adding new Sections 3420 and 3430 regarding disturbances and landscaping, respectively; by deleting existing Section VI.G regarding unregistered motor vehicles and substituting new Section 3600 therefor; by deleting existing Sections VI.J.3 and VI.J.4 regarding billboards and lighting; by deleting existing Section VI.K regarding rate of development and by substituting new Section 3700 therefor, which includes a five-year extension; by deleting existing Section VI.L. regarding subdivision phasing and substituting new Section 3800 therefor; by deleting existing Section VI.M regarding site plan review and substituting new Section 3900 therefor; by deleting existing Section VI.D regarding earth removal and substituting new Section 4200 therefor; by deleting

existing Section V.A.3 regarding campers and campgrounds and substituting new Section 4100 therefor; by deleting existing Sections IV.F and V.F. regarding aquifer protection districts and substituting new Section 4300 therefor; by deleting existing Sections IV.E and V.E regarding flood hazard districts and substituting new Section 4400 therefor; by adding a new Section 4600 regarding scenic roads protection; by deleting existing Sections VII, VIII, IX, X and XI regarding, respectively, enforcement, penalty, zoning board of appeals, other regulations, and validity, and substituting new Article V (Administration) therefor; and by deleting existing Section III in its entirety, regarding definitions, by deleting the definition of "non-conforming use" in existing Section II.B, and by substituting new Article VI (Definitions) therefor; so that Articles I, II, III, IV, V, and VI, of the Leverett Zoning By-Laws shall appear as on file with the Town Clerk. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Ellis Landset began the zoning articles with a brief explanation of the process which brought the Planning Board to this entire new document.

Ken Kahn moved Article Two, duly seconded.

John Link offered the following amendment: "to amend Article Two by the addition of the following after the definition of *Aquifer Recharge Area*: *Bed and Breakfast* shall mean non-family accommodations for short periods (not to exceed two weeks) with breakfast provided and included in the fee and with the owner residing on the premises."

The motion was duly seconded, endorsed by the Planning Board and passed.

Bruce Taylor moved that there be a secret ballot, seconded. Motion failed.

Motion to adopt Article Two as amended: yes 149, no 27, motion passed.

Article Three: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section V.A, V.B, and V.C in their entirety regarding use regulations and by deleting existing Section V.A.4 regarding retail grocery or general stores in Village Residential districts and by substituting new Section 2200 therefor, which provides a schedule of principal use regulations. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Ken Kahn: I move Article Three; duly seconded.

Fenna Lee Bonsignore moved the following amendment: "In Section 2253, delete *begun within 12 months and completed*, and insert *commenced*."

Motion seconded and passed.

John Link moved the following amendment: "Amend Section 2231 by the addition of the following after the category *Non-family accommodations (boarding house, etc.) with 2 or 3 rooms to let: Bed and Breakfast with 4 or 5 rooms to let* N SP N N"

(This means only in a Rural Residence District with special permit.)

Motion seconded and carried.

Motion to adopt Article Three with two amendments: vote yes 126, no 33. Motion adopted.

At this point in the meeting (12:10pm), the moderator recessed for lunch until 1:10pm.

Ed Gere called the meeting to order at 1:10pm.

Steve Nagy made a motion to reconsider Article Three. Mr. Gere paused a few moments to let the crowd resettle in the room. He asked Mr. Nagy if he had voted on the prevailing side of the question, since this is necessary for a motion to reconsider. Mr. Nagy answered Yes.
Vote on the motion: yes 42, no 75. Motion lost.

Article Four: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section IV.A's "Basic Lot Size" table and the Table of Dimensional Requirements appended to the existing By-Laws and substituting new Section 2340 therefor, which provides a table of dimensional requirements. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Bob Hursh: I move Article Four. Motion was duly seconded.
Vote on the article: Yes 102, No 32. Motion carried.

Article Five: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 2400, Accessory Apartments. An Accessory Apartment is a small dwelling unit (not to exceed 800 sq. ft.) within a single-family residence. The by-law is intended to allow the creation of such units to promote affordable housing alternatives, particularly for elderly Leverett residents. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Ellis Landset: I move Article Five. Motion duly seconded.
Vote on motion: yes 117, no 6. Motion carried.

Article Six: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section VI.B regarding driveways and substituting new Section 3500, which is substantially a rewording and renumbering of same. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Tom Stevens: I move Article Six. Motion duly seconded.
Vote: yes 82, no 28. Motion carried.

Article Seven: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Sections IV.D and V.D regarding the stream and lake protection district and substituting new Section 4500 therefor. The revised by-law restricts the use of land within certain distances of water bodies in Leverett. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Tom Stevens: I move Article Seven. Motion duly seconded.
Vote: yes 105, no 15.

Article Eight: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4800 regarding flexible development. Flexible Development is intended to allow residential construction on larger parcels of land without strict adherence to the bulk requirements of the zoning by-law, as long as the development first obtains a special permit from the Planning Board, leaves at least 30% of the parcel as usable open space, and observes strict design guidelines. Nothing in this article is intended to eliminate the statutory right to develop land through the Subdivision Control Law. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Ben Minks: I move Article Eight; motion duly seconded.
Vote: yes 104, no 10. Motion carried.

Article Nine: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4700 regarding upper elevation site plan review. The proposed by-law would affect only construction in excess of 50 feet (vertical) above an abutting public way. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Bob Hursh: I move Article Nine; duly seconded.

There was a motion to pass over Article Nine, seconded.
Motion lost.

George Drake moved to amend the article by deleting section 4753 and renumbering other sections to follow. Motion lost (yes 47, no 78).

Motion to suspend debate. Passed.

Vote on main motion: yes 90, no 67. Motion fails for lack of two-thirds vote. (157 votes cast two-thirds = 105).

Article Ten: To see if the town will vote to authorize the Town Treasurer, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue for the financial year beginning July 1, 1991, in accordance with the provisions of the MGL Chapter 44, Section 4, and to issue a note or notes therefore, payable within one year, and to renew any notes that may be given for a period of less than one year in accordance with MGL Chapter 44 Section 17.

Alice Rarig: I move we pass over this article. It is no longer required that this be voted by Annual Town Meeting. Chapter 210 of the Acts of 1990 allows borrowing to be done through the approval of the selectboard.

Motion to pass over was duly seconded and carried.

Article Eleven: To see if the town will vote to raise and appropriate such sums of money as shall be necessary to meet town expenses.

The budget article was presented at 3:35 pm. Mr. Gere presented each department, noting the amounts intended for salaries and expenses. Held departments included Town Counsel and Schools. Judi Fonsh presented the school budget with a reduction of \$5470 from the amount originally presented.

Fenna Lee Bonsignore: I move the town accept a budget for FY 92 of \$1,852,977. Motion seconded and passed.

Article Twelve: To see if the Town will vote to appropriate ONE HUNDRED AND NINETY-TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$192,500) for capital costs associated with purchasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; to determine whether these appropriations shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Laurel Kahn: I move the town vote to borrow ONE HUNDRED AND NINETY-TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$192,500) for capital costs associated with purchasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School.

Motion was seconded.

Speakers on both sides of the question spoke.

Vote (taken on secret ballot): Yes: 134, No: 51. Motion carried with required two-thirds majority (185 votes cast, 2/3=124.)

Article Thirteen: To see if the Town will vote to raise and appropriate ONE HUNDRED AND NINETY TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$192,500) for capital costs associated with purchasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; or to take any other action relative thereto.

Judi Fonsh: I move to pass over Article Thirteen; seconded, passed.

Article Fourteen: To see if the Town will vote to appropriate NINETY-NINE THOUSAND DOLLARS (\$99,000) for capital costs associated with leasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; to determine whether these appropriations shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Judi Fonsh: I move to pass over Article Fourteen; seconded, passed.

Article Fifteen: To see if the Town will vote to raise and appropriate or to otherwise provide FORTY THOUSAND DOLLARS (\$40,000) for the costs of one year's rental of a two-classroom portable building for the Leverett Elementary School; or to take any other action relative thereto.

Judi Fonsh: I move to pass over Article Fifteen; seconded, passed.

Article Sixteen: To see if the Town will vote to raise and appropriate ONE HUNDRED AND THIRTY-NINE THOUSAND DOLLARS (\$139,000) for capital costs and the cost of one year's rental associated with leasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; or to take any other action relative thereto.

Judi Fonsh: I move to pass over Article Sixteen; seconded, passed.

Article Seventeen: To see if the town will vote to appropriate THIRTY FIVE THOUSAND DOLLARS (\$35,000) to remove and replace the fuel oil tank at the Leverett Elementary School; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Judi Fonsh: I move that the town vote to appropriate thirty-five thousand dollars (\$35,000) to remove and replace the fuel oil tank at the Leverett Elementary School and I further move that said appropriation be met by borrowing thirty one thousand four hundred ninety two dollars (\$31,492) and that three thousand five hundred eight dollars (\$3,508) be transferred from the Sale of Real Estate Account.

Motion was duly seconded.

Vote: yes 101, no 2. Motion carried.

Article Eighteen: To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of TWO THOUSAND AND EIGHT HUNDRED DOLLARS (\$2,800) to paint the Bradford M. Field Memorial Library.

Sondra Corcoran: I move the town will vote to raise and appropriate, the sum of TWO THOUSAND AND EIGHT HUNDRED DOLLARS (\$2,800) to paint the Bradford M. Field Memorial Library. Motion duly seconded.

Ellis Landset: I move to table this article until the results of the secret ballot on Article Twelve are in. Duly seconded. Yes 75, No 60. Motion needed 2/3, failed.

Vote on main motion: yes 117, no 45. Motion carried.

Article Nineteen: To see if the town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) for clay, loam and other materials and equipment rental in order to close and cap the landfill.

Don Gibavic: I move the town vote to take from free cash the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) for clay, loam and other materials and equipment rental in order to close and cap the landfill.

Motion seconded, carried unanimously.

Article Twenty: To see if the town will vote to transfer the sum of FIFTY THOUSAND DOLLARS (\$50,000) from free cash to the Reserve Account.

Fenna Lee Bonsignore: I move that the town vote to trransfer the sum of FIFTY THOUSAND DOLLARS (\$50,000) from free cash to the Reserve Account.

Motion seconded, carried.

Article Twenty-one: To see if the town will vote to raise and appropriate, transfer from available funds, expend from stabilization, borrow or otherwise provide the sum of SIX THOUSAND DOLLARS (\$6,000) to repair the bridge on Coke Kiln Road over the Saw Mill River.

Don Gibavic: I move the town expend from free cash the sum of SIX THOUSAND DOLLARS (\$6,000) to repair the bridge on Coke Kiln Road over the Saw Mill River.

Motion seconded. Recommended by Capital Planning Committee, Not recommended by Finance Committee.

Motion carried.

Article Twenty-two: To see if the Town will vote to accept the provisions of Chapter 291 of the Acts of 1990, thereby allowing the Town to receive Enhanced 9-1-1 service as defined in said Act and, if acceptance and notification to the Secretary of the Commonwealth of said acceptance occur on or before December 11, 1991, the Town will also receive, at no cost to it, the benefits of Enhanced 9-1-1 network features and components and other Enhanced 9-1-1 network features that may be made available by the Statewide Emergency Telecommunications Board.

Alice Rarig: I move that the Town vote to accept the provisions for Chapter 291 of the Acts of 1990 relative to Enhanced 9-1-1 service and that the Town Clerk notify the Secretary of the Commonwealth of said acceptance on or before December 11, 1991.

Motion was seconded, passed unanimously.

Article Twenty-three: To see if the town will vote to accept the renumbering of various bylaws approved by the Town Meeting from their original numbering to the numbering, codification, arrangement, sequence and captions as set forth in the Code of Leverett, dated 1988, and published by General Code Publishers of Rochester, New York; said codification having been done under the direction of the Board of Selectmen, Town Counsel and Town Clerk and said code being a compilation of the present bylaws of the town and having no substantive changes or deletions in the text thereof. The Zoning bylaws will not be included in this Code.

Fenna Lee Bonsignore: I move that the town accept the renumbering of various bylaws approved by the Town Meeting from their original numbering to the numbering, codification, arrangement, sequence and captions as set forth in the Code of Leverett, dated 1988, and published by General Code Publishers of Rochester, New York; said codification having been done under the direction of the Board of Selectmen, Town Counsel and Town Clerk and said code being a compilation of the present bylaws of the town and having no substantive changes or deletions in the text thereof. The Zoning bylaws will not be included in this Code.

Motion duly seconded. Motion carried.

Article Twenty-four: To see if the town will vote to amend Chapter 3 Section 1 of the Code of Leverett to increase the number of Bradford M. Field Memorial Library Trustees from 5 to 6. The complete text of this proposed bylaw change is on file with the Town Clerk and incorporated by reference herein.

Sondra Corcoran: I move that the town vote to amend Chapter 3 Section 1 of the Code of Leverett to increase the number of Bradford M. Field Memorial Library Trustees from 5 to 6. The complete text of this proposed bylaw change is on file with the Town Clerk and incorporated by reference herein.

Motion duly seconded. Motion carried.

Article Twenty-five: To see if the town will vote to adopt a Personnel Bylaw pursuant to the authority of MGL Chapter 41, Section 108A. A complete text of this proposed amendment to the Code of Leverett is on file with the Town Clerk.

Fenna Lee Bonsignore: I move the town vote to adopt a Personnel Bylaw pursuant to the authority of MGL Chapter 41, Section 108A. A complete text of this proposed amendment to the Code of Leverett is on file with the Town Clerk.

Motion seconded. Motion carried.

Article Twenty-six: To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of ONE THOUSAND FIVE HUNDRED AND FORTY DOLLARS (\$1,540) to update the Code of Leverett, as published in 1988 by General Code Publishers, in order to remove the zoning bylaws and make necessary additions and corrections to the text.

I move the town vote to transfer from Free Cash the sum of ONE THOUSAND FIVE HUNDRED AND FORTY DOLLARS (\$1,540) to update the Code of Leverett, as published in 1988 by General Code Publishers, in order to remove the zoning bylaws and make necessary additions and corrections to the text.

Motion seconded. Motion carried.

Article Twenty-seven: To see if the Town will vote that effective July 1, 1991 all fees collected by the Town Clerk be paid into the Town General Revenue Account and not be retained by the Town Clerk.

Don Gibavic: I move that the town vote that effective July 1, 1991 all fees collected by the Town Clerk be paid into the Town General Revenue Account and not be retained by the Town Clerk.

Motion seconded. Motion carried.

Article Twenty-eight: To see if the Town will vote to amend Chapter 5 Section 1 of the Leverett Code entitled "Selectmen: powers, duties, intent" by adding the sentence: *"The Board of Selectmen shall have the authority to enter into contracts for the provision of goods and services for all areas of town government over which they have jurisdiction."* The complete text of this proposed amendment is on file with the Town Clerk and is incorporated by reference herein.

Alice Rarig: I move that the town vote to amend Chapter 5 Section 1 of the Leverett Code entitled "Selectmen: powers, duties, intent" by adding the sentence: *"The Board of Selectmen shall have the authority to enter into contracts for the provision of goods and services for all areas of town government over which they have jurisdiction."* The complete text of this proposed amendment is on file with the Town Clerk and is incorporated by reference herein.

Motion seconded. Motion carried unanimously.

Article Twenty-nine: To see if the Town will vote to take from available funds the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) to reduce the tax rate for Fiscal Year 1992.
Sponsor: Selectboard

Don Gibavic: I move the town take from free cash the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) to reduce the tax rate for Fiscal Year 1992.

Motion seconded. Motion carried.

Moderator Gere explained that the business of the day had been completed, and that a motion to recess until after the June 4 override election was in order.

Bob Stachowiak: I move that the town meeting recess until Wednesday, June 12, 1991 at 7:30 pm. Motion seconded and carried.

Meeting recessed at 6:00 pm.

Results of June 4, 1991 override vote:

Question 1: General override in the amount of \$116,761.

Yes: 455 No: 346 Blank: 11

Question 2: Debt exclusion for portable classrooms.

Yes: 517 No: 283 Blank: 12

Question 3: Debt exclusion for fuel tank removal at school.

Yes: 566 No: 231 Blank: 15

MINUTES OF ANNUAL TOWN MEETING, CONTINUED SESSION

JUNE 12, 1991, LEVERETT ELEMENTARY SCHOOL

At 7:30pm, Moderator Ed Gere called the meeting to order.

Fenna Lee Bonsignore: I move the Annual Town Meeting be dissolved. The motion was seconded and carried unanimously.

Meeting adjourned at 7:31pm.

Minutes recorded by D'Ann Sauer Kelty, Town Clerk



The Commonwealth of Massachusetts
Office of the Attorney General
One Ashburton Place,
Boston, MA 02108-1698

SCOTT HARSHBARGER
ATTORNEY GENERAL

(617) 727-2200

October 1, 1991

D'Ann Sauer Kelty
Town Clerk
Box 178
Leverett, Massachusetts 01054

Dear Ms. Kelty:

I enclose the amendments to the general by-laws adopted under articles 24 and 28 and the amendments to the zoning by-laws adopted under articles 2, 3, 4, 5, 6, 7 and 8 of the Warrant for the Leverett Annual Town Meeting that convened April 27, 1991, with the approval of this Office endorsed thereon, except that the requirement of procuring a special permit to operate a daycare facility as set forth in Section 2233 of article 3 is stricken and deleted therefrom.

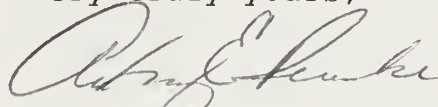
Section 2233 of article 3 requires a special permit for the use of land for a daycare center or daycare home. In the last legislative session, the General Court enacted St. 1990, c. 521. The chapter was approved by then Governor Dukakis on January 2, 1991. Section 2 thereof amended G.L. c. 40A, § 3, by adding the following paragraph:

No zoning ordinance or by-law in any city or town shall prohibit, or require a special permit for, the use of land or structures, or the expansion of existing structures, for the primary, accessory or incidental purpose of operating a child care facility; provided, however, that such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space,

parking and building coverage requirements. As used in this paragraph, the term "child care facility" shall mean a daycare center or a school age child care program, as those terms are defined in section nine of Chapter twenty-eight A.

Therefore, section 2233 pertaining to daycare is inconsistent with G.L. c. 40A, § 3, as amended by St. 1990, c. 521, § 3, and must be deleted from article 3.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Anthony E. Penski', written in dark ink.

Anthony E. Penski
Assistant Attorney General
Government Bureau
(617) 727-2200, Ext. 2082

AEP/bb
Enclosure

9531B

Boston, Massachusetts

The foregoing amendments to the general by-laws adopted under articles 24 and 28 of the warrant for the Leverett Annual Town Meeting that convened April 27, 1991, are hereby approved.

SCOTT HARSHBARGER
ATTORNEY GENERAL



Anthony E. Penski
Assistant Attorney General

October 1, 1991

Boston, Massachusetts

The foregoing amendments to the zoning by-laws adopted under articles 2, 3, 4, 5, 6, 7 and 8 of the warrant for the Leverett Annual Town Meeting that convened April 27, 1991, are hereby approved, except that the requirement of procuring a special permit to operate a daycare facility as set forth in section 2233 of article 3 is stricken and deleted therefrom.

SCOTT HARSHBARGER
ATTORNEY GENERAL

A handwritten signature in dark ink, appearing to read 'Anthony R. Penski', is written over a horizontal line.

Anthony R. Penski
Assistant Attorney General

October 1, 1991



TOWN OF LEVERETT
Massachusetts 01054

Article two: voted April 27, 1991

Yes 149, No 27

The complete text of article two is attached. This article represents the bulk of the new zoning by-law package. Sections referred to in this article are being reorganized and renumbered. Little substantive change is represented. The following articles (3,4,5,6,7,8) represent the substantive changes from the existing bylaws.

Complete documents of the existing and the new bylaws are attached to form five of this package.

ARTICLE 2. To see if the Town will vote to amend the Leverett Zoning By-Laws by rewording the "Purpose Clause" and renumbering said provision as new Article I; by deleting existing Section II.A regarding grandfathered uses and substituting new Section 2250 therefor; by deleting existing Section II.B.1 regarding continuation of nonconforming uses and substituting new Section 2252 therefor; by deleting existing Sections II.B.2, II.B.3, II.B.4, and II.B.5 regarding alteration of nonconforming uses and substituting new Sections 2251, 2253, 2254, and 2255 therefor; by deleting existing Sections IV.A (first three lines of text only), IV.B, and IV.C regarding establishment of zoning districts and substituting new Section 2100 therefor; by adding a new Section 2310 and a new Section 2320 regarding construction of single or multiple structures on lots in the town; by rewording existing Section VI.F regarding rear lots, deleting the definition of "building line" therein, and renumbering said section as new Section 2330; by deleting existing Section VI.A and VI.E regarding accessory buildings and substituting new Sections 2240, 2244, 2245, 2246, and 2247 therefor; by adding a new Section 2243 regarding accessory scientific uses; by adding a new Section 2242 regarding the keeping of animals (excepting agriculture); by deleting existing Section V.A.1.g regarding home occupations and substituting new Section 2241 therefor; by deleting existing Section VI.C regarding area of lots; by deleting existing Section VI.J.1 and VI.J.2 regarding prohibited uses; by deleting existing Section VI.H regarding parking and substituting new Section 3100 therefor; by deleting existing Section II.C regarding corner clearance and substituting new Section 3200 therefor; by deleting existing Section VI.I regarding signs and substituting new Section 3300 therefor; by deleting existing Section VI.N regarding erosion control and substituting new Section 3410 therefor; by adding new Sections 3420 and 3430 regarding disturbances and landscaping, respectively; by deleting existing Section VI.G regarding unregistered motor vehicles and substituting new Section 3600 therefor; by deleting existing Sections VI.J.3 and VI.J.4 regarding billboards and lighting; by deleting existing Section VI.K regarding rate of development and by substituting new Section 3700 therefor, which includes a five-year extension; by deleting existing Section VI.L regarding subdivision phasing and substituting new Section 3800 therefor; by deleting existing Section VI.M regarding site plan review and substituting new Section 3900 therefor; by deleting existing Section VI.D regarding earth removal and substituting new Section 4200 therefor; by deleting existing Section V.A.3 regarding campers and campgrounds and substituting new Section 4120 therefor; by deleting existing Sections VII, VIII, IX, X, and XI regarding, respectively, enforcement, penalty, zoning board of appeals, other regulations, and validity, and substituting new Article V (Administration) therefor; and by deleting existing Section III in its entirety, regarding definitions, by deleting the definition of "non-conforming use" in existing Section II.B, and by substituting the following new Article VI (Definitions)

WHEREFOR, NEW ARTICLES I, II, III, IV, V, AND VI OF THE LEVERETT
ZONING BY-LAWS SHALL BE, IN PART, AS FOLLOWS:

ARTICLE I. PURPOSE.

These regulations are enacted to promote the general welfare of the Town of Leverett, to protect the health and safety of its inhabitants, to encourage the most appropriate use of land throughout the town, to increase the amenities of the town, and to reduce the hazard from fire by regulating the location and use of buildings and the area of open space around them, all as authorized by the provisions of the Zoning Act, M.G.L.A. ch. 40A, as amended, and by Article 89 of the Amendments to the Constitution.

ARTICLE II. USE AND DIMENSIONAL REGULATIONS.

2100. Districts.

2110. Establishment. For the purposes of this By-Law, the Town of Leverett is hereby divided into the following districts:

Residential/Village	RV
Residence/Rural	RR
General Business	GB
Commercial	COM

Four additional "overlay" districts are also hereby created: a Stream and Lake Protection District (pursuant to Section 4500), a Flood Hazard District (pursuant to Section 4400), an Aquifer Protection District (pursuant to Section 4300), and a Scenic Roads Protection District (pursuant to Section 4600).

The boundaries of these districts are defined and set forth on the map entitled, "Zoning Map, Leverett, Mass.," dated January, 1973, amended April 1989, prepared by T.S. Bacon, Jr., as may be subsequently amended by vote of Town Meeting. This map is on file with the Town Clerk. This map and all explanatory matter therein are hereby made a part of this Zoning By-Law.

2120. Boundary Definition. Except when labelled to the contrary, boundary or dimension lines shown approximately following or terminating at street, railroad, or utility easement center or layout lines, boundary or lot lines at water body shoreline or the channel of a stream, shall be construed to be actually at those lines; when shown approximately parallel, perpendicular, or at an angle to such lines shall be construed to be actually parallel, perpendicular, or at an angle thereto. When not located in any other way, boundaries shall be determined by scale from the map.

2130. Existing Lots. Where a district boundary line divides any lot existing at the time such line is adopted, the use regulations for any district in which the lot has

frontage on a street may be extended not more than forty (40) feet into the other district.

2240. Accessory Buildings and Uses. Any use permitted as a principal use is also allowed as an accessory use, as are others customarily accessory and incidental to permitted principal uses.

2241. Home Occupations. A business or profession may be engaged in as an accessory use of a dwelling by a resident of that dwelling, upon issuance of a special permit by the Board of Appeals, if conforming to the following conditions:

- a. The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto.
- b. Not more than thirty (30) percent of the combined floor area of the residence and any accessory structures shall be used in the home occupation.
- c. The home occupation shall be accommodated within an existing structure without extension thereof.
- d. Not more than two persons not a member of the household shall be employed on the premises in the home occupation.
- e. Except for a permitted sign, there shall be no exterior display, no exterior storage of materials, and no other exterior indication of the home occupation, or other variation from the residential character of the premises.
- f. No disturbance shall be caused as defined in Section 3420.
- g. Traffic generated shall not exceed volumes normally expected in a residential neighborhood.
- h. Parking generated shall be accommodated off-street, other than in a required front yard, and shall not occupy more than 10% of lot area.
- i. Home occupations in an Aquifer Protection District shall not use or store hazardous materials, as defined herein, in quantities greater than 5 gallons or 5 lbs.

2242. Animals. Horses and other animals, including pigs, chickens, and other farm animals, used for non-commercial or non-agricultural purposes, may be stabled (as an accessory use) within the R-R and R-V districts.

2243. Accessory Scientific Uses. Uses, whether or not on the same parcel as activities permitted as a matter of right, which are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit by the Board of Appeals, provided that the Board finds that the proposed use does not substantially derogate from the public good.

2244. One house trailer, mobile home, camping vehicle, or tent may be used as an accessory dwelling on a lot for not more than thirty (30) days in any twelve (12) month period. One house trailer, mobile home, camping trailer, or similar vehicle, not used for dwelling purposes, may be stored out of doors on a lot.

2245. No garage building or accessory building shall be used as a dwelling unit if it is located on a lot with a principal structure serving as a residence.

2246. Rental of a single room in a principal residential structure is permitted as an accessory use.

2247. Dimensional Regulation: Accessory Uses. Accessory structures may not be placed within required yards, except that permitted signs may be located within a required front yard, and a permitted one-story accessory structure may be located within a required rear yard provided that it occupies not more than 25% of the required yard, and provide that it is not located within 10 feet of any property line.

2250. Nonconforming Uses. Any use or structure not conforming with this By-Law may be continued if the use or structure was lawfully existing at the time it became nonconforming, subject to the following:

2251. Alteration, Extension, or Change. As provided in M.G.L.A. ch. 40A, s.6, a nonconforming single or two-family dwelling may be altered or extended provided that the Building Inspector determines that doing so does not increase the nonconforming nature of said structure. Other pre-existing nonconforming structures or uses may be extended, altered, or changed in use on special permit from the Board of Appeals, in accordance with Section 5300 herein, upon a finding by the Board that such alteration, extension, or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use. Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.

2252. Abandonment. A nonconforming use which has been abandoned, discontinued for a period of two years (five years for agriculture, horticulture, floriculture, silviculture or viticulture), or changed to a conforming use, shall not be reestablished, and any future use of the premises shall conform to this Zoning By-Law.

2253. Restoration. Any legally existing nonconforming building or structure may be reconstructed if destroyed by fire or other accidental or natural cause if such reconstruction is begun within twelve (12) months and completed within twenty-four (24) months from the date of the catastrophe (unless a longer period is granted by special permit by the Board of Appeals).

Notwithstanding the above, any structure so restored shall not exceed in volume or area the original nonconforming structure, except that where the original structure was non-conforming by virtue of its relation to the set-back, rear yard, or side yard requirements of this By-Law, any restoration may exceed in volume or area the original non-conforming structure as long as the foundation of the restored structure is not in greater noncompliance, as to set-back, rear yard, or side yard, than the original structure.

2254. Premises may be changed from one category of nonconforming use to another only on special permit from the Board of Appeals. Such special permit shall be granted only for uses no more damaging or inharmonious with the environs than the use being replaced.

2255. Additions and accessory buildings which are associated with existing residences that are nonconforming by reason of being closer to lot boundaries than is permitted by these By-laws may be built as close, but not closer, to the lot boundaries than the existing residence.

2300. Dimensional Requirements.

2310. General. No structure shall be erected or used, premises used, or lot changed in size or shape except in conformity with the requirements of this section, unless exempted by this By-Law or by statute (see especially M.G.L.A. ch. 40A, s.6).

2320. Multiple Principal Structures. Not more than one principal structure shall be erected on a lot, unless otherwise authorized in this By-Law, or unless pursuant to a special permit issued by the Planning Board in accordance with Section 5300 herein and the following conditions:

2321. No principal building shall be located in relation to another principal building on the same lot, or on an adjacent lot, so as to cause danger from fire;

2322. All principal buildings on the lot shall be served by access ways suitable for fire, police, and emergency vehicles;

2323. All of the multiple principal buildings on the same lot shall be accessible via pedestrian walkways connected to the required parking for the premises, and to each principal building.

2330. Rear Lots. Rear lots shall not be allowed in General Business or Commercial Districts. Individual lots in Residence Districts need not have the required amount of street frontage, provided that all of the following conditions can be met for each individual lot lacking such frontage:

2331. The area of said lot is at least double the minimum area normally required for the district.

2332. A building line is designated on the plan, and the width of the lot at that line equals or exceeds the number of feet normally required for street frontage in the district.

2333. Lot width is at no point less than 30 feet, and lot frontage is not less than 30 feet. Frontage shall meet all of the requirements contained in the definition for "frontage" in Article VI, herein.

2334. Not more than one (1) rear lot shall be created from a property, or a set of contiguous properties held in common ownership as of April 30, 1988.

Documentation to this effect shall be submitted to the Planning Board along with the application for Approval Not Required or Definitive Subdivision Plans under the Subdivision Control Law. The Building Inspector shall not issue a building permit for any rear lot without first establishing that compliance with this provision has been determined by the Planning Board.

2335. At the time of the creation of the rear lot, it shall be held in common and contiguous ownership with the front lot.

2336. The Planning Board shall not approve an application for creation of a rear lot unless the applicant submits a plan under the Subdivision Control Law depicting both the rear lot and the front lot from which the rear lot was created.

2337. Where a single-family structure is situated on a rear lot, the front, rear, and side yards shall equal or exceed those required in the district. However, where a two-family structure is situated on a rear lot, the rear lot shall have 50% more lot area, side yard setback, and frontage than is otherwise required by Section 2330 or Section 2340, whichever is greater.

ARTICLE III. GENERAL REGULATIONS.

3100. Parking and Loading Requirements.

3110. General. Adequate off-street parking must be provided to service all parking demand created by new construction,

whether through new structures or additions to old ones, and by change of use of existing structures. Such parking shall be on the same premises as the activity it serves, or within 300 feet on a separate parcel, which may be jointly used with other premises for this purpose, provided that the continued joint use of such parcel be ensured through an agreement recorded in the Registry of Deeds.

3120. Schedule of Parking Area Requirements. In applying for a building or occupancy permit, the applicant must demonstrate that the following minimums will be met for the new demand without counting existing parking:

Dwellings: Two spaces per dwelling unit.

Motels, hotels, lodging houses: One space per guest unit plus one additional space per eight guest units or fraction thereof.

Retail stores, offices: One space per 150 square feet of leasable floor area.

Industrial or wholesale: Four spaces per five employees on the largest shift.

Places of assembly: One space per three seats, or one space per 12 square feet of seating area, whichever is greater.

Hospitals: One space per bed.

Nursing homes: One space per four beds.

All others: As determined by the Building Inspector.

3130. Parking Area Design. No off-street parking area shall be maintained within 20 feet of a street right-of-way line. All required parking areas except those serving single-family or two-family residences shall be paved or covered with some other appropriate surface, except that oil and stone surfaces shall not be permitted. For parking areas of eight (8) cars or more, Sections 3131 - 3132 shall apply:

3131. Parking area use shall not require backing onto a public way.

3132. Parking lots for 8 or more cars shall be screened from any residential use or district which is abutting or separated from it only by a street, pursuant to Section 3432.

3140. Loading Requirements. Adequate off-street loading facilities and space must be provided to service all needs created by new construction, whether through new structures or additions to old ones, and by change of use of existing structures. Facilities shall be so sized and arranged that no trucks need back onto or off of a public way, or be parked on a public way while loading, unloading, or waiting to do so.

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2331. The area of said lot is at least double the minimum area normally required for the district.

2332. A building line is designated on the plan, and the width of the lot at that line equals or exceeds the number of feet normally required for street frontage in the district.

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2336. The Planning Board shall not approve an application for creation of a rear lot unless the applicant submits a plan under the Subdivision Control Law depicting both the rear lot and the front lot from which the rear lot was created.

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3131. Parking area use shall not require backing onto a public way.

3132. Parking lots for 8 or more cars shall be screened from any residential use or district which is abutting or separated from it only by a street, pursuant to Section 3432.

3140. Loading Requirements. Adequate off-street loading facilities and space must be provided to service all needs created by new construction, whether through new structures or additions to old ones, and by change of use of existing structures. Facilities shall be so sized and arranged that no trucks need back onto or off of a public way, or be parked on a public way while loading, unloading, or waiting to do so.

3200. Sight Obstruction.

At corners, no sign (except signs erected by a public agency), fence, wall, hedge, or other obstruction shall be allowed to block vision between 2 1/2 and 8 feet above the street grade within an area formed by the intersecting street lines and a straight line joining the points of said street lines 20 feet back from their point of intersection.

3300. Signs.

3310. In Residence Districts the following signs are permitted.

3311. For each residence or permitted accessory use, one sign not over six square feet in area is allowed.

3312. For permitted buildings, structures and uses of the premises, other than one or two family dwellings and their accessory uses, two signs not over six square feet in total area are allowed, unless the Board of Appeals grants a special permit for a larger sign.

3313. Temporary, unlighted signs pertaining to the construction, lease or sale of the premises are allowed provided such signs do not exceed 6 square feet in total area.

3320. In General Business and Commercial Districts, signs advertising the name of the firm and the products and services produced or available on the premises are permitted only as follows:

3321. One (1) sign or other advertising device attached flat against the wall of a building, which does not project above the wall to which it is attached and which does not project more than 24 inches from the building shall be allowed for each firm on the premises. The aggregate sign(s) or device(s) serving all firms on the premises shall not exceed 32 square feet in area, and no single sign shall exceed 16 square feet in area. One additional sign serving all firms may be attached to a marquee which is an integral part of the building provided the total area of such sign does not exceed six square feet.

3322. As an alternative to Section 3321, one sign or other advertising device of a free-standing nature may be erected for each firm or such signs may be combined into one or more units provided that in all cases the total sign area for the premises does not exceed 16 square feet in area and 15 feet in height. All such signs shall be located at least 10 feet from the public right-of-way and 20 feet from the principal structure(s) on the premises.

3330. General Sign Restrictions.

3331. Signs, announcements, or bulletin boards not exceeding 16 square feet in area are allowed in all zoning districts in connection with public, charitable or religious uses.

3332. No sign or advertising device shall project over any pedestrian or vehicular way customarily used by the public.

3333. No exterior sign or advertising device shall incorporate motion or be lighted by flashing or blinking lights or utilize a change in light intensity.

3334. All illumination of signs or other advertising devices shall be shielded or indirect. No exterior sign or interior sign visible from the exterior of the structure shall be illuminated during hours the business is not open, provided, however, that no sign in a Residence District shall be illuminated after 9:00 p.m.

3335. No non-accessory sign or billboard shall be allowed.

3336. Signs required by federal or state law are allowed in all districts. Signs posting land against trespassing, hunting, or fishing, are also allowed in all districts.

3340. Signs Allowed on Special Permit. The Board of Appeals may grant special permits as follows, without application of Section 5330.

3341. For changes in existing signs on nonconforming uses in Residence Districts provided such changes are within the limits established for General Business and Commercial Districts, and not detrimental to the neighborhood.

3342. For a directional or identification sign in any district where such sign will serve the public convenience and not be detrimental to the neighborhood with respect to size, location, or design.

3350. Temporary signs. Temporary signs (except for signs relating to sale, rental, or construction on the premises governed by Section 3313) referring to a political campaign public event shall be allowed, provided that each sign does not exceed twelve (12) square feet in area. No such temporary sign shall be displayed more than one month prior to the election or event, and such signs shall be removed within 7 days of the completion of the activity to which they relate.

3400. Environmental Controls.

3410. Erosion Control. Site design, materials, and construction processes shall be designed to avoid erosion damage, sedimentation, or uncontrolled surface water runoff

by conformance with the following:

3411. Grading or construction, or natural site characteristics, which will result in final slopes of 25% or greater on 50% or more of lot area, or on 30,000 square feet or more on a single parcel, even if less than half the lot area, shall be allowed, only under special permit from the Planning Board, which shall be granted only upon demonstration that adequate provisions have been made to protect against erosion, soil instability, uncontrolled surface water runoff, or other environmental degradation. Section 5330 shall not be applicable to such special permit applications. Applications and plans for such special permits shall be referred to the Conservation Commission for their advisory review.

3412. All slopes exceeding 15% from site grading shall either be covered with topsoil to a depth of 4" and planted with vegetative cover sufficient to prevent erosion or be retained by a wall constructed of masonry, reinforced concrete or treated pile or timber.

3413. No area or areas totalling 2 acres or more on any parcel or contiguous parcels in the same ownership shall have existing vegetation clear-stripped or be filled 6" or more so as to destroy existing vegetation unless in conjunction with agricultural activity, or unless necessarily incidental to construction on the premises under a currently valid building permit, or unless within streets which are either public or designated on an approved subdivision plan, or unless a special permit is approved by the Planning Board on condition that runoff will be controlled, erosion avoided, and either a constructed surface or cover vegetation will be provided not later than the first full spring season immediately following completion of the stripping operation. No stripped area or areas which are allowed by special permit shall remain through the winter without a temporary cover of winter rye or similar plant material being provided for soil control, except in the case of agricultural activity where such temporary cover would be infeasible. Section 5330 shall not be applicable to such special permit applications.

3414. The Building Inspector shall require information of the applicant, in addition to that otherwise specified herein, necessary to ensure compliance with these requirements, including, if necessary, elevations at key locations, description of vegetative cover, and the nature of impoundment basins proposed, if any.

3415. Where resultant site grades will exceed 15%, the town shall require a performance bond to ensure compliance with these requirements.

3416. Hillside areas shall be retained with vegetative cover as follows:

Average percentage slope	Minimum percentage of land to remain in vegetation
10.0 - 14.9	25
15.0 - 19.9	40
20.0 - 24.9	55
25.0 - 29.9	70
30.0 and above	85

3420. Disturbances. No use shall be allowed if it will cause sound, noise, vibration, odor, or flashing (except for warning devices, temporary construction, or maintenance work, parades, recreational or agricultural activities, or other special circumstances) so as to create a nuisance.

3430. Landscaping.

3431. Parking lots for 8 or more cars shall contain, or be bordered (within 5 feet) by, at least one tree per 5 cars or fraction thereof, trees to be of 2" caliber or larger, and if within the parking area, to be planted in curbed soil plots allowing not less than 30 square feet of unpaved soil area per tree.

3432. All outdoor sales display areas, all commercial buildings or commercial outdoor recreation areas, parking areas with more than 8 spaces, all mobile homes, and all two-family structures shall be screened from any adjacent residential use or district by a wall, fence, or be equivalently obscured by natural vegetation. Contractor's yards, open storage, loading facilities, or service yards shall be similarly screened from any adjacent residential district or use and from any public way from which they would otherwise be visible, and shall not be located within any required front yard.

3600. Unregistered Motor Vehicles.

Unregistered motor vehicles (other than farm vehicles) which are unfit for use, permanently disabled, or otherwise inoperative

shall not be stored, parked, or placed upon any land in the Town for more than thirty (30) days unless such vehicles are kept within a building or are otherwise screened or located so as not to be visible from a public way or from abutting properties. Vehicles which are kept in an area properly approved for such storage by a licensed dealer in motor vehicles are exempt from this by-law.

3700. Rate of Development.

3710. Purpose. The purpose of Section 3700, "Rate of Development," is to promote orderly growth in the Town of Leverett, consistent with the rate of residential growth over the last six (6) calendar years, to phase growth so that it will not unduly strain the community's ability to provide basic public facilities and services, to provide the Town, its boards and its agencies information, time, and capacity to incorporate such growth into the Master plan for the community, and to preserve and enhance existing community character and the value of property.

3720. General. Beginning on January 1, 1991, building permits for not more than 26 dwelling units shall be issued in each of the five full calendar years following said date, for the construction of new residential dwellings. For the purposes of this Section 3700, a duplex or two-family structure shall constitute two dwelling units; a principal residence with an accessory apartment therein shall constitute two dwelling units.

3730. Procedures. Any building permits issued shall be issued in accordance with the following procedures:

3731. Building permits shall be issued on Monday (or, in the case of a holiday, on Wednesday) of each week by the Building Inspector. The Building Inspector shall act on each permit in order of submittal. Any permit application that is incomplete or inaccurate shall be returned to the applicant and shall require new submittal.

3732. From the first Monday in January through the last Monday in June, one (1) permit shall be issued per week. Permits not issued in any week of the calendar year in accordance with this schedule shall be available in any subsequent week up to the last Monday in June for issuance by the Building Inspector. If all 26 permits have not been issued by the last Monday in June, the remaining permits shall be issued as applied for.

3733. The Building Inspector shall mark each application with the time and date of submittal, and shall act on each application in a timely manner.

3734. Any Building Permits not issued in any calendar year shall not be available for issuance in any subsequent year.

3735. At the end of the calendar year in which this by-law is in effect, the Building Inspector shall retain all applications for which a building permit has not been issued. Upon being informed in writing by the applicant before the first Monday in January of the succeeding calendar year that the applicant desires the application to remain in effect, the Building Inspector shall treat said application in accordance with Section 3733, above.

3736. Nothing contained in this Section 3700 shall be deemed to entitle an applicant to more building permits in any calendar year than such applicant would be entitled to under Section 3800, below.

3740. Special Needs Housing. Upon a determination by the Planning Board under a special permit application that the proposed development will meet special needs in housing provision, the proposed development shall be exempt from this Section 3700 in its entirety. Such special permit exempting the applicant from Section 3700 shall be granted if the housing is proposed by a public or non-profit organization relying on committed state or federal subsidies and a majority of the units will initially be sold or leased at terms affordable to households or individuals with incomes not exceeding those defined as "moderate income" by the Massachusetts Executive Office of Communities & Development. Other applicants may qualify for a special permit upon a showing that a majority of the units will initially be sold or leased at terms affordable to households or individuals with incomes not exceeding those defined as "moderate income" by the Massachusetts Executive Office of Communities & Development, or upon a showing that the housing, because of its type, affordability, or market, significantly diversifies the Leverett housing stock. Section 5330 shall not apply to such special permit applications.

3750. Exemptions. The provisions of this Section 3700 shall not apply to, nor limit in any way, the granting of building or occupancy permits required for enlargement, restoration, or reconstruction of dwellings existing on lots as of the date of passage of this by-law, but shall apply to the conversion of single-family to two-family dwellings.

3760. Extension. This Section 3700 may be extended without lapse of its provisions and limitations, by vote of the Town Meeting prior to April of 1995.

3800. Subdivision Phasing.

3810. Purpose. The purpose of Section 3800, "Subdivision Phasing," is to assure that growth shall be phased so as not to unduly strain the town's ability to provide public facilities and services, so that it will not disturb the social fabric of the community, and so that it will be in keeping with the community's desired rate of growth.

3820. Applicability. Any division of land into more than 10 lots in any twelve month period shall be subject to the following regulations and conditions set forth herein.

3830. Requirements. Whenever a new lot or lots is or are formed from a part of any other lot or lots, the assembly or separation shall be effected in such a manner as to not impair any of the requirements of this by-law, and shall be in accordance with the Subdivision Regulations of the Town of Leverett.

3840. Division of Land Limitations. The division of a parcel or combined adjacent parcels of land in any zoning district shall not exceed ten (10) lots in any twelve month period. This provision shall apply to any proposed division or combination of properties which were in the same ownership and contiguous as of April 25, 1987. The foregoing provisions shall be applicable to all subdivision of land within the Town of Leverett even if approval under the Subdivision Control Law, G.L. c. 41, is not required.

3850. Exceptions. Division of land in excess of ten (10) lots as defined in Section 3840, above, may be allowed only if one of the following requirements are met:

3851. The owner of said land covenants with the Planning Board that she will not build upon more than ten (10) lots in any 12 month period. Said 12 month period shall commence on the date of endorsement by the Planning Board. The covenant shall identify the lots that may be built upon in each 12 month period. The covenant shall be recorded with all other pertinent documents with the Definitive Plan of the plan which has been endorsed "Approval Not Required;"

3852. The owner of said land applies for and receives a special permit from the Planning Board to create more than 10 lots in any 12 month period. The Planning Board may grant a special permit for such division only if the Board determines that the probable benefits to the community outweigh the probable adverse effects resulting from granting such permit, considering the impact on schools, other public facilities, traffic and pedestrian travel, recreational facilities, open spaces and agricultural resources, traffic hazards, preservation of unique natural features, planned rate of development, and housing for senior citizens and people of low or moderate income, as well as Master Plan or Growth Management Plans prepared by the Planning Board pursuant to M.G.L.A. ch. 41, s. 81D. Section 5330 shall not be applicable to such special permit applications.

3860. Zoning Change Protection. The protection against subsequent zoning change granted by M.G.L.A. ch. 40A, s. 6 to land in a subdivision shall, in the case of a development whose completion has been constrained by this Section 3800, or subject to the covenant as provided in Section 3851, be extended to ten

years.

3870. Relation to Real Estate Assessment. Any land owner denied a building permit because of these provisions may appeal to the Board of Assessors, in conformity with M.G.L.A. ch. 59, s. 59, for a determination as to the extent to which the temporary restriction on development use of such land shall affect the assessed valuation placed on such land for purposes of real estate taxation, and for abatement as determined to be appropriate.

3900. Site Plan Review.

3910. Applicability and Procedure. Applications for building permits for duplexes, or for nonresidential or nonagricultural construction, including applications for extensions, alterations or changes to duplexes, available as of right, shall be accompanied by an approved site plan in accordance with the criteria specified below. Such approval from the Planning Board shall be obtained prior to application for a building permit. Applicants shall submit four (4) copies of the site plan to the Planning Board for review. The Planning Board shall review and approve the site plan, with such conditions as may be deemed appropriate, within sixty (60) days of its receipt, and notify the applicant of its decision. The decision of the Planning Board shall be upon a majority of those present and shall be in writing. No building permit shall be issued by the Building Inspector without the written approval of the site plan by the Planning Board, or unless 60 days lapse from the date of the submittal of the site plan without action by the Planning Board.

Applications for special permits for nonresidential or nonagricultural construction or uses, including applications for extension, alteration, or changes to nonconforming nonresidential or nonagricultural structures or uses, shall be accompanied by four (4) copies of a site plan in accordance with the criteria specified below. Site plans accompanying applications such special permits shall be referred by the Zoning Board of Appeals, where applicable, to the Planning Board within seven days of filing for its review and written report, and no special permit shall be issued by the Board of Appeals without the written approval of the site plan by the Planning Board, or unless 45 days lapse from the date of the application without action by the Planning Board. Where the Planning Board approves a site plan "with conditions", and said site plan accompanies a special permit application to the Board of Appeals, the conditions imposed by the Planning Board shall be incorporated into the issuance, if any, of a special permit by the Board of Appeals.

3920. Plans. Plans subject to this section shall show:

3921. Existing and proposed topography at 2 foot or 1 meter contour intervals;

3922. Water provision, including fire protection measures;

3923. Sanitary sewerage;

3924. Storm drainage, including means of ultimate disposal and calculations to support maintenance of the requirements in Sections 3000 and 4000 of the Planning Board's Subdivision Rules and Regulations;

3925. Parking, access, and egress provisions;

3926. Planting, landscaping, and screening;

3927. All boundary line information pertaining to the land sufficient to permit location of same on ground;

3928. Compliance with all applicable provisions of this Zoning By-Law.

3930. Site Plans shall be submitted on 24-inch by 36-inch sheets. Plans shall be prepared by a Registered Professional Engineer and a Registered Land Surveyor. Dimensions and scales shall be adequate to determine that all requirements are met and to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of 1"=200'.

3940. Site Plan approval shall be granted upon determination by the Planning Board that the following conditions have been satisfied. The Planning Board may impose reasonable conditions, even at the expense of the applicant, to ensure that the following conditions have been satisfied. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and stormwater drainage consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulations. New building construction or other site altering shall be designed in the Site Plan, after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, so as to:

3941. Minimize the volume of cut and fill, the number of removed trees 6" caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, soil erosion, and threat of air and water pollution;

3942. Maximize pedestrian and vehicular safety both on the site and egressing from it;

3943. Minimize obstruction of scenic views from publicly accessible locations;

3944. Minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or premises residentially used or zoned;

3945. Minimize glare from headlights through plantings or other screening;

3946. Minimize lighting intrusion through use of such devices as cut-off luminaires confining direct rays to the site, with fixture mounting not higher than 20 feet;

3946. Minimize unreasonable departure from the character and scale of building in the vicinity, as viewed from public ways.

3947. Minimize contamination of groundwater from on-site waste-water disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances.

3950. Lapse. Site plan approval shall lapse after one year from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. Such approval may, for good cause, be extended in writing by the Planning Board upon the written request of the applicant.

3960. Regulations. The Planning Board may adopt and from time to time amend reasonable regulations for the administration of these Site Plan guidelines.

ARTICLE IV. SPECIAL REGULATIONS.

4100. Campers and Campgrounds.

4110. Campers may be occupied either in a campground, or by non-paying guests accessory to a residence for up to 30 days in any calendar year. Campers may be stored accessory to a residence.

4111. Campgrounds. Campgrounds are allowed only on special permit from the Board of Appeals, and following approval from the Board of Health, and shall conform to the following minimum requirements:

- a. parcel minimum area to be twenty (20) acres.
- b. each rental plot shall be at least 5,000 sq. ft., and not more than 50 plots shall be allowed per campground.
- c. campers shall not be placed within 80 feet of a street or a lot line.
- d. site plan approval from the Planning Board.

4200. Earth Removal. The removal from any premises of more than 50 cubic yards of sand, gravel, stone, topsoil, loam, or similar materials within any twelve-month period shall be allowed only on special permit from the Board of Appeals, unless such removal is incidental to construction on the premises under a current building permit, or routine to farming operations and noncommercial. A special permit shall be granted subject to the following conditions, and subject to the special permit criteria of Section 5300, below.

4210. Plan. The application shall be accompanied by a plan or plans indicating existing topography, base grades below which no excavation will take place, existing and proposed cover vegetation, and proposed topography upon completion.

4220. Screening and Noise. Excavation areas and processing equipment shall be screened by buffer strips or other means, and noise and dust shall be controlled to meet the requirements of Section 3420.

4230. Restoration. Following removal, all excavated areas shall be restored by grading to provide for drainage and for slopes not to exceed one foot vertical to two feet horizontal, and by covering with four inches of topsoil, and by planting with cover vegetation, all of which shall have been established prior to release of the bond.

4240. Bond. A performance bond shall be posted in an amount sufficient to assure satisfactory fulfillment of all of the above requirements.

4300. Aquifer Protection District.

4310. Purpose. The purpose of the Aquifer Protection District is to protect the public health by preventing contamination of the ground and surface water resources providing existing or potential public water supply, as may be contained within the aquifer recharge areas within the town.

4320. Establishment of Districts. The Aquifer Protection Districts are herein established as overlay districts. The Aquifer Protection Districts include aquifer recharge areas, as identified on the map entitled "Aquifer Protection District Overlay," Leverett, Mass., January 1987. The map is hereby made a part of this Zoning By-Law and is on file in the office of the Town Clerk.

4321. Where a portion of the lot is located partially within and partially without an Aquifer Protection District, site design shall, to the extent feasible, locate potential pollution sources outside the district boundaries. If any portion of a proposed residential building lot lies within an Aquifer Protection District, the entire lot shall be subject to the dimensional requirements and restrictions of the Aquifer Protection District, unless a special permit is issued by the Board of Appeals in accordance with Section 4380, herein.

4322. Where the boundaries of the Aquifer Protection District are in doubt or dispute, the burden of proof shall be upon the owner of the land in question to show where the boundaries shall be properly located. Resolution of boundary disputes shall be through a finding made by the Planning Board. Any application for a finding under this subsection 4322 shall be accompanied by documentation prepared by a person who

meets the following two requirements:

1. Is experienced in delineating hydrogeologic zones in Massachusetts, and
2. Has one of the following credentials:

TITLE

CONFERRING ENTITY

Registered Professional Hydrogeologist	American Institute of Hydrology
Certified Professional Geologic Scientist	American Institute of Professional Geological Scientists
Registered Professional Engineer, Sanitary	Commonwealth of Massachusetts
Certified Ground Water Professional	Association of Ground Water Scientists and Engineers
Certified Professional Soil Scientist	American Registry of Certified Professionals in Agronomy, Crops, and Soils, Ltd.

The Planning Board may require the applicant, in making the determination of the location and extent of aquifer recharge areas (where such are in doubt or dispute), to conduct such field tests, at the applicant's expense, including core samples of the soil, as may be reasonably necessary.

4330. Use Regulations.

4341. Within an Aquifer Protection District, the requirements of the underlying districts continue to apply, except that uses are prohibited where indicated by "N" in the following schedule, and require a Special Permit where indicated by "SP", even where the underlying district requirements are more permissive. Uses permitted in the underlying districts are otherwise allowed in an Aquifer Protection District.

SCHEDULE

1. PRINCIPAL USES

- | | |
|--|---|
| (a) Manufacture, use, storage, transport, or disposal of more than 5 gallons or 5 lbs. of hazardous materials per year | N |
| (b) Sanitary landfill, solid waste disposal (except stump and brush disposal) | N |

- (c) Septage lagoon N
- (d) Road salt stockpile N
- (e) Junkyard, salvage yard, truck terminal, or school bus parking facility with more than 10 parking spaces, railroad transfer station N
- (f) Gasoline station, car wash, auto repair or auto body shop N
- (g) Residential, commercial, or industrial structure on a lot with less than 120,000 sq. ft., or with less than 300 ft. frontage (except rear lot) N
- (h) Wood preserving and furniture stripping operations N
2. ACCESSORY USES
- (a) Underground storage or transmission of hazardous materials, including fuel oil and gasoline N
- (b) Aboveground storage of hazardous materials in quantities greater than 5 lbs. or 5 gallons, except storage of fuel oil for residential accessory use SP
- (c) Any use generating hazardous wastes in quantities greater than 5 gallons or 5 lbs. SP
- (d) Animal feedlots, manure storage, pesticide storage SP
3. OTHER USES
- (a) Rendering impervious more than 20 percent of total lot area, regardless of size N
- (b) Any use, regardless of lot size retaining less than 60 percent of lot area in its natural vegetative state SP
- (c) Removal of earth, loam, sand, and gravel, or any other mineral, in excess of 10 yards, not incidental to construction of a building SP
- (d) Any use having on-site disposal system for domestic wastes with a design capacity greater than 2500 gallons per day, as required by 310 CMR 15.00 SP
4340. Special Permit Granting Authority. The Special Permit Granting Authority (SPGA) shall be the Board of Appeals. Such Special Permit may be granted if the SPGA

determines that the intent of this Section 4300, as well as the specific criteria of Section 4360 are met. In making such determination, the SPGA shall give consideration to the simplicity, reliability, and feasibility of the control measures proposed and the degree of threat to groundwater quality which would result if the control measures failed. Any Special Permit required under this Section 4300 shall be in addition to, and separate from, any other Special Permit required under any section of this Zoning By-Law.

4350. Procedure. Applicants shall file six (6) copies of applications for Special Permits with the Board of Appeals. Whenever an application for a Special Permit is filed with the Board of Appeals under Section 4340, the Board of Appeals shall transmit within 10 working days of the filing of the completed application, copies of the application and other documentation, to the Board of Health, Planning Board, Conservation Commission, and the Building Inspector for their consideration, review, and report. The copies necessary to fulfill this requirement shall be furnished by the applicant.

Failure of these reviewing parties to make recommendations within 35 days after having received copies of all such required materials shall be deemed a lack of opposition thereto. The Decision/Findings of the Board of Appeals shall contain, in writing, an explanation for any departures from the recommendations of any reviewing party.

4360. Special Permit Criteria. Special Permits hereunder shall be granted only if the SPGA determines (without application of Section 5330), after reviewing the recommendations of the reviewing parties delineated in Section 4350, that the proposed use:

4361. Is in harmony with the purpose and intent of this by-law and will promote the purpose of the Aquifer Protection District;
4362. Is appropriate to the existing topography, soils, and other natural characteristics of the site to be developed;
4363. Is adequately provided with sewage and water facilities or possesses suitable soils for on-site wastewater disposal and water systems;
4364. Will not have an adverse environmental impact on any watershed, watercourse, or water body in the district, during construction or thereafter;
4365. Will not result in groundwater quality below the more restrictive of federal or state standards for drinking water, or, if existing groundwater quality is already below those standards, on-site disposal or operations will result in no further deterioration.
4370. Submittals. In applying for a Special Permit hereunder, the SPGA shall require the information listed below, unless waived or modified by the SPGA, with reasons therefor.

An application shall not be deemed filed until all required information is filed with the Board of Appeals.

4371. A description of soil erosion and sedimentation control measures; provisions to prevent soil compaction; provisions to prevent seepage from septic systems or from interior floor surfaces.

4372. A complete list of all chemicals, pesticides, fuels, or other potentially hazardous materials to be used or stored on the premises in quantities greater than 5 gallons or 5 lbs., accompanied by a description of the measures proposed to protect all storage containers from vandalism, corrosion, and leakage, and to provide for control of spills.

4373. A description of all potentially hazardous wastes to be generated in quantities greater than 5 gallons or 5 lbs., accompanied by a description of the measures proposed to protect all waste storage facilities from vandalism, corrosion, and leakage, and to provide for control of spills.

4374. For aboveground storage of hazardous materials or waste, certification by a Registered Professional Engineer that such storage facilities or containers are (i) in compliance with all applicable federal or state regulations, and (ii) in compliance with design specifications, as prepared by a Registered Professional Engineer.

4375. For any proposed activity on a lot which will render more than 20 percent of the total lot area impervious, the application shall be accompanied by drainage calculations, prepared by a Registered Professional Engineer, demonstrating that any increase in the volume of runoff shall be recharged on-site and diverted towards areas with vegetation for surface infiltration to the maximum extent feasible. The plan shall be accompanied by a narrative statement explaining the use of any dry wells, which shall be allowed only upon a showing that other methods of drainage are infeasible, and that such dry wells are preceded by oil, grease, and sediment traps to facilitate removal of contaminants.

4376. For any use retaining less than 60 percent of lot area in its natural vegetative state, the application shall be accompanied by evidence, prepared by a Registered Professional Engineer, to demonstrate that such removal of vegetative cover shall not result in decreased recharge of the groundwater deposit, or increased sedimentation of surface waters. The application shall also indicate proposed restoration plans, if any, or erosion control methods proposed for the premises.

4377. For any use with an on-site disposal system for domestic wastes with a design capacity of greater

than 2,500 gpd, as required by 310 CMR 15.00, certification by a Registered Professional Engineer that the disposal system has been installed in compliance with design specifications, accompanied by a narrative statement assessing the impact, if any, of nitrates, coliform bacteria, and hazardous materials from the disposal system on any wells downgradient from the proposed disposal system.

4378. Applications for removal of earth, loam, sand, and gravel, or any other mineral in excess of ten cubic yards, shall be accompanied by a narrative statement, prepared by a Registered Professional Engineer, assessing the impact, if any, of the proposed activity on groundwater quality downgradient to any well. No excavation or removal shall be conducted within ten (10) feet of the seasonal high water table on the property in question.

4379. Applications for animal feedlots or manure lots shall be accompanied by certification, prepared by the Soil Conservation Service, or the Agricultural Stabilization and Conservation Service, that the proposed use is in accordance with the Best Management Practices of that agency.

4380. Special Permits for Dimensional Restrictions for Residential lots. Any residential building lot lying partially within and partially without the Aquifer Protection District may apply for a special permit to waive application of the more stringent dimensional requirements of this Section 4300. The SPCA may grant such special permit (without application of Section 5330), only upon a determination that the residential construction will not increase ground or surface water pollution. In making such determination, the SPCA shall consider the following factors:

4381. The use of the lot, the type and nature of proposed structure(s), pollution sources to be placed thereon (including wastewater disposal);

4382. The use of adjacent lots, type and nature of pollution sources thereon (including wastewater disposal);

4383. The location of any wells or other domestic water supplies on the lot or an adjacent lot;

4384. The percentage of the lot within the Aquifer Protection District;

4385. The density of the surrounding area;

4386. The topographical and geological features of the lot;

4387. The extent to which structures and potential pollution sources will be located on the lot without

the Aquifer Protection District.

4390. Nonconforming Uses. Any nonconforming use may continue in the Aquifer Protection District, pursuant to G.L. c. 40A, s. 6, and may be extended, altered, or changed provided that the Board of Appeals, as a part of the finding or special permit decision required, determines that such extension, alteration, or change will not increase the danger of groundwater pollution from the premises.

4400. Flood Hazard District.

4410. Purpose. The Flood Hazard District is established to protect the public health, safety, and general welfare, to protect human life and property from the hazards of periodic flooding, to preserve natural flood control characteristics and flood storage capacity of the flood plain, and to preserve and maintain the ground water table and water recharge areas within the flood plain.

4420. Establishment of Districts. The Flood Hazard District is herein established as an overlay district. The boundaries of the Flood Hazard District are defined as:

4421. All areas delineated on the Leverett Flood Insurance Rate Map (FIRM), dated June 4, 1980, as Zones A, A-1, A-2, and A-3 to indicate the 100 year flood plain. The boundary of the 100 year flood plain is further defined by the Flood Profiles contained in the Flood Insurance Study, dated November 1979, herein incorporated into this by-law by reference; and

4422. All areas delineated on the Leverett Flood Boundary Floodway Map (FBFM), dated June 4, 1980, and further defined by the Floodway Data Tables contained in the Flood Insurance Study.

4423. Within Zone A, where the 100 year flood elevation is not provided on the FIRM, the applicant shall obtain any existing flood elevation data and provide such data to the Board of Appeals for review. If the Board of Appeals deems such data to be accurate, it may be relied upon for purposes of this by-law and the State Building Code.

4430. Use Regulations.

4341. Within a Flood Hazard District, the requirements of the underlying districts continue to apply, except that uses are prohibited where indicated by "N" in the following schedule, and require a Special Permit where indicated by "Sp", even where the underlying district requirements are more permissive. Uses permitted in the underlying districts are otherwise allowed in a Flood Hazard District.

S C H E D U L E

- | | | |
|-----|--|----|
| (a) | Temporary non-residential structures used in connection with growing, harvesting, storage, or sale of crops raised on the premises | Y |
| (b) | Construction, reconstruction, or creation of any structure or building; dumping, filling, excavating, transferring, or altering (in any way) the natural topography of the land, except as provided in (d), below | SP |
| (c) | Expansion, alteration, or change to a lawfully existing nonconforming structure | SP |
| (d) | Agriculture, silviculture, viticulture, floriculture and horticulture, without construction of structures, placement of fill, or storage of equipment | Y |
| (e) | Outdoor public recreation areas, conservation areas, wildlife management, without construction of structures, placement of fill, or storage of equipment | Y |

4440. Special Permit Granting Authority. The Special Permit Granting Authority (SPGA) shall be the Board of Appeals. Such Special Permit may be granted if the SPGA determines that the intent of this Section 4400, as well as the specific criteria of Section 4460 are met. In making such determination, the SPGA shall give consideration to the simplicity, reliability, and feasibility of the control measures proposed and the degree to which allowance of the use would increase flood levels during the occurrence of the 100 year flood. Any Special Permit required under this Section 4400 shall be in addition to, and separate from, any other Special Permit required under any section of this Zoning By-Law.

4450. Procedure. Applicants shall file six (6) copies of applications for Special Permits with the Board of Appeals. Whenever an application for a Special Permit is filed with the Board of Appeals under Section 4340, the Board of Appeals shall transmit within 10 working days of the filing of the completed application, copies of the application and other documentation, to the Board of Health, Planning Board, Conservation Commission, and the Building Inspector for their consideration, review, and report. The copies necessary to fulfill this requirement shall be furnished by the applicant. Failure of these reviewing parties to make recommendations within 35 days after having received copies of all such required materials shall be deemed a lack of opposition thereto. The Decision/Findings of the Board of Appeals shall contain, in writing, an explanation for any departures from the recommendations of any reviewing party.

4460. Special Permit Criteria. Special Permits hereunder shall

be granted only if the SPGA determines (without application of Section 5330), after reviewing the recommendations of the reviewing parties delineated in Section 4450, that the proposed use:

4461. Complies in all respects with the requirements of the underlying district in which the land is located;

4462. Via encroachments, including fill, new construction, substantial extension, alteration or change to existing structures, and other activities will not result in any increase in flood levels during the occurrence of the 100 year flood.

4600. Scenic Roads Protection.

4610. Purpose and Applicability. Pursuant to G.L. c. 40, s. 15C, the Town of Leverett has designated all public ways as Scenic Roads. Designation as a Scenic Road allows the town to preserve the qualities and character of town ways. It is the intent of this by-law to further that purpose.

4620. Requirements. Any repair, maintenance, construction, reconstruction, or paving work done with respect to a Scenic Road shall not involve or include the cutting or removal of trees of more than 10" dbh (diameter/breast height), or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the Planning Board. The Planning Board will hold a hearing pursuant to G.L. c. 40, s. 15C on such application.

4630. Decision. The Planning Board shall consider the following criteria in reviewing applications under this Section 4600:

4631. Public safety;

4632. Enhancement of scenic views along the roadway;

4633. Preservation of historic and other existing features;

4634. Preservation of the natural environment.

4640. Regulations. The Planning Board may adopt reasonable regulations for the administration of this by-law.

ARTICLE V. ADMINISTRATION.

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5100. Administration.

5110. Permits. This By-Law shall be administered by the Building Inspector. Buildings, structures or signs may not be erected, substantially altered, moved, or changed in use and land may not be substantially altered or changed in principal use without certification by the Building Inspector that such action is in compliance with then-applicable zoning, and that all necessary permits have been received under federal, state, or local law. Issuance of a Building Permit or Certificate of Use and Occupancy, where required under the Commonwealth's State Building Code, may serve as such certification.

5120. Enforcement. The Building Inspector shall institute and take any and all such action as may be necessary to enforce full compliance with any and all of the provisions of this By-Law and of permits and variances issued thereunder, including notification of non-compliance and request for legal action through the Selectmen to Town Counsel.

5130. Penalties. The penalty for violation of any provision of this By-Law, or of any of the conditions under which a permit is issued, or of any decision rendered by the Board of Appeals shall be One Hundred dollars (\$100.00) for each offense. Each day that each violation continues shall constitute a separate offense.

5200. Board of Appeals.

5210. Establishment. There is hereby established a Board of Appeals which shall consist of five members and three associate members, who shall be appointed and act in all matters under this By-Law in the manner prescribed in M.G.L.A. ch. 40A.

5220. Powers. The Board of Appeals shall have and exercise all the powers granted to it by Chapters 40A, 40B, and 41 of the General Laws and by this By-Law. The Board's powers are as follows:

5221. To hear and decide applications for special permits. Unless otherwise specified herein, the Board of Appeals shall serve as the special permit granting authority, to act in all matters in accordance with the provisions of Section 5300, unless otherwise specified.

5222. To hear and decide appeals or petitions for variances from the terms of this By-Law, with respect to particular land or structures. Such variance shall be granted, pursuant to M.G.L.A. ch. 40A, s. 10, as may be amended, only in cases where the Board of Appeals finds all of the following:

a) A literal enforcement of the provisions of this By-Law would involve a substantial hardship, financial or otherwise, to the petitioner or applicant.

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b) The hardship is owing to circumstances relating to the soil conditions, shape, or topography of such land or structures, and especially affecting such land or structures but not affecting generally the zoning district in which it is located.

c) Desirable relief may be granted without either:

- (1) substantial detriment to the public good; or
- (2) nullifying or substantially derogating from the intent or purpose of this By-Law.

d) The Board of Appeals shall not grant use variances in any residential district of the Town.

5223. To Hear and Decide Other Appeals. Other appeals will also be heard and decided by the Board of Appeals when taken by:

a) any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L.A. ch. 40A; or by

b) the Regional Planning Agency; or by

c) any person including any officer or Board of the Town of Leverett, or of any abutting town, if aggrieved by any order or decision of the Building Inspector or other administrative official, in violation of any provision of M.G.L.A. ch. 40A, or this By-Law.

5224. To Issue Comprehensive Permits. Comprehensive Permits for construction may be issued by the Board of Appeals for construction of low or moderate income housing by a public agency or limited dividend or non-profit corporation, upon the Board's determination that such construction would be consistent with local needs, whether or not consistent with local zoning, building, health or subdivision requirements, as authorized under M.G.L.A. ch. 40B.

5225. To Issue Withheld Building Permits. Building Permits withheld by the Building Inspector acting under M.G.L.A. ch. 41, s. 81Y, as a means of enforcing the subdivision control law, may be issued by the Board of Appeals where the Board finds practical difficulty or unnecessary hardship, and if the circumstances of the case do not require that the building be related to a way shown on the subdivision plan in question.

5226. To hear and decide appeals under the Commonwealth of Massachusetts State Building Code, as provided under Section 126 of that Code.

5230. Public Hearings. The Board of Appeals shall hold public hearings in accordance with the provisions of the

General Laws, with regard to all appeals and petitions brought before it.

5300. Special Permits.

5310. Special Permit Granting Authority. Unless specifically designated otherwise, the Board of Appeals shall act as the Special Permit Granting Authority.

5320. Public Hearings. Special permits shall only be issued following public hearings held within sixty-five (65) days after filing an application with the Special Permit Granting Authority, a copy of which shall forthwith be given to the Town Clerk by the applicant.

5330. Criteria. Special permits shall be granted by the Special Permit Granting Authority, unless otherwise specified herein, only upon its written determination that the proposed use will not have adverse effects on either the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. The determination shall include consideration of each of the following:

5331. Social, economic, or community needs which are served by the proposal;

5332. Traffic flow and safety;

5333. Adequacy of utilities and other public services;

5334. Neighborhood character and social structures;

5335. Impacts on the natural environment;

5336. Potential fiscal impact.

5340. Conditions. Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use as the Special Permit Granting Authority may deem necessary to serve the purposes of this By-Law.

5350. Expiration. Special permits shall lapse 24 months following special permit approval (plus such time required to pursue or await the determination of an appeal referred to in M.G.L.A. ch. 40A, s. 17, from the grant thereof) if a substantial use thereof or construction has not begun, except for good cause.

5400. Amendments. This By-Law may from time to time be changed by amendment, addition, or repeal by the Town Meeting in the manner provided in M.G.L.A. ch. 40A, s.5, and any amendments thereto.

5500. Applicability.

5510. Other Laws. Where the application of this By-Law imposes greater restrictions than those imposed by any other regulations, permits, restrictions, easements, covenants, or

agreements, the provisions of this By-Law shall control.

5520. Conformance. Construction or operations under a Building or Special Permit shall conform to any subsequent amendment of this By-Law unless the use or construction is commenced within a period of six months after the issuance of the permit, and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

5600. Separability. The invalidity of any section or provision of this By-Law shall not invalidate any other section or provision herein.

ARTICLE VI. DEFINITIONS.

In this By-Law, the following terms shall have the following meaning, unless other meaning is required by the context or is specifically prescribed.

Accessory Apartment shall mean a self-contained dwelling unit consisting of one or more rooms with separate kitchen facilities, at least one bathroom, and not more than two (2) bedrooms, incorporated within a single-family dwelling.

Accessory Building, Structure, or Use shall mean a building or structure not attached to any principal building or structure, or a use customarily incidental to and located on the same lot with the principal building, structure, or use.

Aquifer shall mean a geologic formation composed of sand and gravel that contains significant amounts of potentially recoverable groundwater.

Aquifer Recharge Area shall mean an area on the surface of the ground where infiltration from precipitation or groundwater flow directly recharges aquifers. The boundary of the aquifer recharge area shall be the contact point of the stratified drift deposit and surrounding till or bedrock materials.

Bed and breakfast shall mean non-family accommodations for short periods (not to exceed 2 weeks) with breakfast provided and included in the fee and with the owner residing on the premises.

Building shall mean a structure adapted to permanent or continuous occupancy for assembly, business, professional, education, industrial, institutional, residential, or storage purposes, and the term "building" shall be construed as if followed by the words "or portion thereof".

Building Height shall mean the vertical distance from the mean finish grade of the ground adjoining the building at the street side to the highest point of the ridge.

Building Line shall mean a line indicating the approximate centerline of the proposed principal building, as it shall be actually laid out, extended in a straight line to the length of at least the required frontage in the district.

Building, Principal shall mean the building in which is conducted the principal use of the lot on which said building is located.

Campground shall mean premises used for travel trailers, campers, tenting, or for any temporary overnight facilities of any kind where a fee is charged.

Commercial Outdoor Recreation Area shall mean a drive-in theater, golf course/driving range, bathing beach, sports club, horseback riding stables, boathouse, game preserve, marina, or other commercial recreation carried on in whole or in part outdoors except those activities more specifically designated elsewhere in this By-Law.

Dwelling shall mean any building containing one or more dwelling units.

Dwelling Single-Family shall mean a dwelling containing not more than one (1) dwelling unit, except where an accessory apartment has been authorized.

Dwelling, Two-Family shall mean a single building containing two (2) dwelling units, neither of which is an accessory apartment.

Dwelling, Multi-Family shall mean a single building containing three (3) or more dwelling units.

Dwelling Unit shall mean a building or part of a building occupied or suitable for occupancy as a residence and arranged for the use of one or more individuals living as a single housekeeping unit with its own cooking, living, sanitary and sleeping facilities.

Farm Stand shall mean a structure of semi-permanent or temporary type located in a district in which agricultural uses are allowed, from which raw products are offered for sale to the public.

Frontage shall mean the boundary of a lot coinciding with the street line, being an unbroken distance along a way or currently maintained by the town, county, or state, or along ways shown on the Definitive Plans of approved subdivisions, through which actual access to the potential building site shall be required (except where a "Common driveway" has been allowed per Section 3520, herein), and the street has been determined by the Planning Board to provide adequate access for fire, police, and emergency vehicles. Lot frontage shall be measured continuously along one street line between side lot lines, or, in the case of corner lots, between one side lot line and the mid-point of the corner radius. Lots with interrupted or discontinuous frontage must demonstrate that the required length along the street may be obtained from one (1) continuous frontage section, without any totalling of discontinuous frontage sections.

Grade shall mean the rate of change in elevation on the surface of the land, as measured in feet of vertical change per one hundred (100) feet horizontal, or percent. (One foot vertical change per one hundred feet horizontal

is equal to a one percent (1%) grade.)

Groundwater shall mean all waters found beneath the surface of the ground.

Hazardous Waste shall mean any waste material hazardous to human health or the environment as designated by the United States EPA under 40 CFR Part 261 and the regulations of the Massachusetts Dept. of Environmental Protection pursuant to G.L. c. 21C, both as may be amended.

Hotel or Motel shall mean a building or group of buildings providing accommodations on a transient basis for compensation, not meeting the definition of "Non-family Accommodations". Accommodations having individual kitchen facilities (sink, range, and refrigerator) shall be considered dwelling units.

Impervious Surface shall mean the impermeable or non-porous surface of roads, buildings, or other structures on or above the ground that do not allow precipitation to be absorbed into the underlying soil.

Junkyard shall mean the use of any area of any lot, whether inside or outside a structure, for the storage, salvage, keeping or abandonment of junk, scrap, or discarded materials, or the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof.

Kennel shall mean one pack or collection of dogs on a single premises, whether maintained for breeding, boarding, sale, training, hunting, or other purposes, and including any shop where dogs are on sale, and also including every pack or collection of more than three (3) dogs, three months old or older, owned or kept by a person on a single premises regardless of the purposes for which they are maintained or kept.

Leachable Waste shall mean waste materials, including but not limited to solid waste, septic and other sludge, and pesticide, herbicide, and fertilizer residues and wastes, capable of releasing water-borne or soluble contaminants into the environment by leaching.

Loading Facility shall mean an off-street space, berth, or dock on the same lot as the building it serves, for the temporary parking of vehicles while loading and unloading merchandise and material, and which has access to a street, alley or other appropriate means of ingress and egress.

Lot shall mean a single area of land in one ownership defined by metes and bounds or boundary lines in a recorded deed or on a recorded plan.

Lot Corner shall mean a lot at the junction of and fronting on two (2) or more intersecting streets.

Lot Line shall mean a line which separates one or more lots

or a lot and a street.

Lot Line, Front shall mean the lines separating a lot from the right-of-way of a street.

Lot, Rear any lot meeting the requirements of Section 2330.

Mobile Home shall mean a structure transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation when connected to the required utilities, but not including recreational vehicles or travel trailers.

Nonconforming Uses or Structures shall mean any structure or use of land lawfully existing at the effective date of this by-law or subsequent amendment which does not conform to one or provisions of the by-law.

Non-family Accommodations shall include boarding houses, bed and breakfast accommodations, lodging houses, guest houses, tourist homes, or similar accommodations not having cooking facilities and not shared as a single housekeeping unit. Accommodations having individual kitchen facilities (sink, range, and refrigerator) shall be considered dwelling units. This shall not include the renting of a single room as an accessory use, as set forth in Section 2246.

Office shall mean a place for the transaction of a professional service or business, not including the sale of articles at retail.

Open Space shall mean ground space other than that occupied by structures, walkways, drives, parking or other surfaces. Required yard setbacks may be included as open space if in conformance with the above specifications.

Overlay District shall mean a zoning district superimposed over an underlying district, superceding, where applicable, the less stringent requirements of the underlying district.

Principal Building, Use, or Structure shall mean any building or structure containing any principal use as indicated in Section 2230, except where such use is a home occupation. Where more than one principal use is conducted on a lot and such uses are in more than one building or structure, each building or structure shall be considered a principal building or structure.

Sawmill shall mean a mill or machine for sawing logs, but shall not include the operation of a sawmill not housed in a permanent structure and used solely for the sawing of logs originating on the premises.

Scenic Road shall mean any road designated by the town as such pursuant to G.L. c. 40, s. 15C.

Setback shall mean the minimum horizontal distance between

the street or front lot line and the building nearest the street or front lot line, such distance measured at a right angle to the street or front lot line.

Sign shall mean any device displaying, or any display of, any letter, word, picture, symbol, or object designed to inform or attract the attention of persons not on the premises on which such device or display is located, including billboards and any other internally or decoratively illuminated building surface other than unobstructed window glass.

Sign Area shall mean the surface area within a single continuous perimeter enclosing all of the display area, but not including structural members not bearing advertising matter unless internally or decoratively lighted. One side only of flat, back to back signs shall be counted.

Street shall mean either (a) a public way or a way which the Town Clerk certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved in accordance with the subdivision control law, or (c) a way in existence when the subdivision control law became effective in the Town, having in the opinion of the Planning Board sufficient width, suitable grades, and adequate construction in relation to the proposed use of land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.

Structure shall mean anything constructed or erected, the use of which requires fixed location on the ground, including swimming pools, satellite dishes, tennis courts, and animal enclosures.

Toxic or Hazardous Material shall mean any substance or mixture of such chemical, physical, or infectious characteristics that it could pose a significant actual or potential hazard to water supplies, or other hazard to human health if it were discharged onto the land, or into the air or waters of the town. Toxic or hazardous materials include but are not limited to: organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalies, and include such products as pesticides, herbicides, solvents and thinners.

Watershed shall mean the area of land surrounding a water body that naturally or artificially drains into the water body or aquifer.

Yard shall mean an open space on a lot unoccupied and unobstructed by any building or structure, except the following: fences, walls, poles, posts, paving, and other customary yard accessories, ornaments, and furniture; or, in front yards only, eaves, steps, and non-covered porches.

Yard, Front shall mean a yard extending between lot side lines across the lot adjacent to the front lot

line.

Yard, Rear shall mean a yard extending between lot side lines adjacent to the rear of the lot.

Yard, Side shall mean a yard extending along each side line of a lot between front and rear yards.

or what it will do in relation thereto.

Article two, 35 pages.

A true copy attest:

D'Ann Sauer Kelly
Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

Article three: Voted April 27, 1991 Yes 126; No 33

Complete text:

ARTICLE 3. To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section V.A, V.B, and V.C in their entirety regarding use regulations; by deleting existing Section V.A.4 regarding retail grocery or general stores in Village Residential districts; and by substituting new Section

2200 therefor:

2200. Use Regulations.

2210. General. No structure shall be erected or used or land used except as set forth in Section 2230, "Use Regulation Schedule", or in Section 2240, "Accessory Buildings and Uses", unless exempted by Section 2240, or by statute.

Symbols employed below shall mean the following:

Y	-	A permitted use.
N	-	An excluded or prohibited use.
SP	-	A use authorized under special permit as provided under Section 5300.

2220. Applicability. When an activity might be classified under more than one of the following uses, the more specific classification shall govern; if equally specific, the more restrictive shall govern.

2230. Use Regulation Schedule.

Principal Uses. (For Accessory uses, see Section 2240.)	D	I	S	T	R	I	C	T
	RV		RR		GB		COM	

2231. Residential Uses.

One-family dwelling								
incl. mobile homes	Y		Y		Y		Y	
Two-family dwelling	Y		Y		Y		Y	
Multi-family dwelling								
(3 or more units)	N		N		N		N	
Flexible Development	SP*		SP*		N		N	
Non-family accommodations								
(boarding house, etc.)								
with 2 or 3 rooms for								
let	SP		SP		SP		SP	
Bed and Breakfast with								
4 or 5 rooms for let	N		SP		N		N	

Recreational occupancy of camping vehicle for not more than 14 consecutive days in any one month period

Trailer or mobile home
park or court

2232. Extensive Uses.

Agriculture, silviculture,
horticulture, floricul-
ture or viticulture
pursuant to G.L.
c. 40A, s. 3
Private commercial
campgrounds
Private commercial outdoor
recreation area
Commercial earth removal
Conservation area,
public park

2233. Community Service Uses.

Public utility
School
- Exempted from zoning regulation by G.L. ch. 40A, s.3
- Other educational use, incl. day care
Church, other religious use
Cemeteries
Other non-commercial
community service use

2234. Business/Industrial Uses.

Hotel or motel
Restaurant, including
take-out or drive-in
service
Private commercial
indoor recreation
facility or club
Junkyard, salvage yard
Sawmill (see definition)
Gasoline service stations
Automobile sales and repair
sales, service, or storage
of trucks, tractors,
farm or construction
equipment

Business or professional
offices
Bank

Retail grocery or general store
Other retail stores and services
Manufacturing, production, assembly, or processing firm

Research facility
Bulk storage, warehouse
Sale or storage of feed,
fuel, lumber or
building supplies

Transportation or private
bus terminal
Farm stand, seasonal
Kennels
Nursing home, funeral
home
Ready-mix concrete plant

2235. Other Principal Uses.

Having attributes similar to a use permitted (Y or SP) above

Other principal uses

* = Special permit to be issued by the Planning Board

2240. Accessory Buildings and Uses. Any use permitted as a principal use is also allowed as an accessory use, as are others customarily accessory and incidental to permitted principal uses.

2241. Home Occupations. A business or profession may be engaged in as an accessory use of a dwelling by a resident of that dwelling, upon issuance of a special permit by the Board of Appeals, if conforming to the following conditions:

a. The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto.

b. Not more than thirty (30) percent of the combined floor area of the residence and any accessory structures shall be used in the home occupation.

c. The home occupation shall be accommodated within an existing structure without extension thereof.

d. Not more than two persons not a member of the household shall be employed on the premises in the home occupation.

e. Except for a permitted sign, there shall be no exterior display, no exterior storage of materials, and no other exterior indication of the home occupation, or other variation from the residential character of the premises.

f. No disturbance shall be caused as defined in Section 3420.

g. Traffic generated shall not exceed volumes normally expected in a residential neighborhood.

h. Parking generated shall be accommodated off-street, other than in a required front yard, and shall not occupy more than 10% of lot area.

i. Home occupations in an Aquifer Protection District shall not use or store hazardous materials, as defined herein, in quantities greater than 5 gallons or 5 lbs.

2242. Animals. Horses and other animals, including pigs, chickens, and other farm animals, used for non-commercial or non-agricultural purposes, may be stabled (as an accessory use) within the R-R and R-V districts.

2243. Accessory Scientific Uses. Uses, whether or not on the same parcel as activities permitted as a matter of right, which are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit by the Board of Appeals, provided that the Board finds that the proposed use does not substantially derogate from the public good.

2244. One house trailer, mobile home, camping vehicle, or tent may be used as an accessory dwelling on a lot for not more than thirty (30) days in any twelve (12) month period. One house trailer, mobile home, camping trailer, or similar vehicle, not used for dwelling purposes, may be stored out of doors on a lot.

2245. No garage building or accessory building shall be used as a dwelling unit if it is located on a lot with a principal structure serving as a residence.

2246. Rental of a single room in a principal residential structure is permitted as an accessory use.

2247. Dimensional Regulation: Accessory Uses. Accessory structures may not be placed within required yards, except that permitted signs may be located within a required front yard, and a permitted one-story accessory structure may be located within a required rear yard provided that it occupies not more than 25% of the required yard, and provide that it is not located within 10 feet of any property line.

2250. Nonconforming Uses. Any use or structure not conforming with this By-Law may be continued if the use or structure was lawfully existing at the time it became nonconforming, subject to the following:

2251. Alteration, Extension, or Change. As provided in M.G.L.A. ch. 40A, s.6, a nonconforming single or

two-family dwelling may be altered or extended provided that the Building Inspector determines that doing so does not increase the nonconforming nature of said structure. Other pre-existing nonconforming structures or uses may be extended, altered, or changed in use on special permit from the Board of Appeals, in accordance with Section 5300 herein, upon a finding by the Board that such alteration, extension, or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use. Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.

2252. Abandonment. A nonconforming use which has been abandoned, discontinued for a period of two years (five years for agriculture, horticulture, floriculture, silviculture or viticulture), or changed to a conforming use, shall not be reestablished, and any future use of the premises shall conform to this Zoning By-Law.

2253. Restoration. Any legally existing nonconforming building or structure may be reconstructed if destroyed by fire or other accidental or natural cause if such reconstruction is ^{commenced}

within twenty-four (24) months from the date of the catastrophe (unless a longer period is granted by special permit by the Board of Appeals). Notwithstanding the above, any structure so restored shall not exceed in volume or area the original nonconforming structure, except that where the original structure was non-conforming by virtue of its relation to the set-back, rear yard, or side yard requirements of this By-Law, any restoration may exceed in volume or area the original non-conforming structure as long as the foundation of the restored structure is not in greater noncompliance, as to set-back, rear yard, or side yard, than the original structure.

2254. Premises may be changed from one category of nonconforming use to another only on special permit from the Board of Appeals. Such special permit shall be granted only for uses no more damaging or inharmonious with the environs than the use being replaced.

2255. Additions and accessory buildings which are associated with existing residences that are nonconforming by reason of being closer to lot boundaries than is permitted by these by-laws may be built as close, but not closer, to the lot boundaries than the existing residence.

Article three--five pages

A true copy attest:

Deanne Quackenbush
Town Clerk



TOWN OF LEVERETT

Massachusetts 01054

Article four: Voted April 27, 1991 Yes 102, No 32

Complete text:

ARTICLE 4 . To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section IV.A's "Basic Lot Size" table and the Table of Dimensional Requirements appended to the existing By-Laws and substituting new Section 2340 therefor, as follows:

2340. Dimensional Schedule. (For accessory buildings, see Section 2247).

	D i s t r i c t			
	RV	RR	GB	COM
Minimum lot area (sq. ft.) ^{1, 2}	40,000	60,000	40,000	40,000
Minimum lot frontage (ft.) ^{1, 3}	200	200	150 ⁴	150 ⁴
Minimum front yard (ft.) ⁵	40	40	40	40
Minimum side yard (ft.) ¹	20	25	25	25
Minimum rear yard (ft.) ¹	30	30	30	30
Maximum building height (ft.) ⁶	35	35	35	35
Maximum lot coverage (%):				
by buildings	15	10	20	20
by buildings, structures, and impervious surfaces	15	15	50	50
Minimum Open Space (%)	-	-	40	40

¹ Increase by 50% for two-family structures, after accounting for any increase in lot size required by location in an Aquifer Protection District. See Footnotes 2 and 3, below.

² Increase to 120,000 sq. ft. in Aquifer Protection District.

³ Increase to 300 ft. in Aquifer Protection District for single-family; 450 ft. in Aquifer Protection District for two-family.

⁴ 200 ft. for single-family residences (except 300 ft. in Aquifer Protection District), 300 ft. for two-family residences (except 450 ft. in Aquifer Protection District).

⁵ Or aligned with existing buildings on adjacent properties.

⁶ The height provisions of these regulations shall not apply to the erection of churches, belfries, and towers designed exclusively for ornamental purposes, flagstaffs, chimneys, silos, antennae, water tanks, or similar structures.

At true copy attest:

Ann Saun Kelly
Town Clerk



**TOWN OF LEVERETT
Massachusetts 01054**

A true copy attest:

Dawn Susan Kelly

Town Clerk

Article five: Voted April 27, 1991 Yes 117, No 6

ARTICLE 5 To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 2400, Accessory Apartments, as follows:

2400. Accessory Apartments.

2410. Purpose. For the purpose of providing small additional dwelling units to rent without adding to the number of buildings in the Town, or substantially altering the appearance of the Town, and for the purpose of enabling owners of single family dwellings larger than required for their present needs, particularly elderly homeowners, to share space and the burdens of home ownership, the Board of Appeals may grant a special permit in accordance with the following requirements.

2420. Procedure. Accessory apartments may be allowed on special permit, which shall lapse every two years, by the Board of Appeals, in accordance with the special permit process in this Zoning By-Law, as set forth in Section 5300, and provided that each of the following additional criteria are met.

2430. Conditions.

2431. A plot plan, prepared by a Registered Land Surveyor, of the existing dwelling unit and proposed accessory apartment shall be submitted to the Board of Appeals, showing the location of the building on the lot, proposed accessory apartment, location of any septic system and required parking. A mortgage inspection survey, properly adapted by a surveyor, shall be sufficient to meet this requirement;

2432. Any special permit shall be subject to review and approval by the Board of Health as to sanitary wastewater disposal in full conformance with the provisions of 310 CMR 15.00 (Title V of the State Environmental Code). The Board of Health shall also approve water supply and drainage resulting from the proposed accessory apartment as adequate for the proposed construction;

2433. Certification by affidavit shall be provided that one of the two dwelling units shall be occupied by the owner of the property, except for bona fide temporary absence;

2434. Not more than one accessory apartment may be established on a lot. The accessory apartment shall

not exceed 800 sq. ft. in floor space and shall be located in the existing residential structure on the premises;

2435. The external appearance of the structure in which the accessory apartment is to be located shall not be significantly altered from the appearance of a single-family structure, in accordance with the following:

a. Any accessory apartment construction shall not create more than a 15% increase in the gross floor space of the structure existing as of April 27, 1991.

b. Any stairways or access and egress alterations serving the accessory apartment shall be enclosed, screened, or located so that visibility from public ways is minimized;

c. Sufficient and appropriate space for at least one (1) additional parking space shall be constructed by the owner to serve the accessory apartment. Said parking space shall be constructed of materials consistent with the existing driveway and shall have vehicular access to the driveway.

2440. Conditions for Issuance and Renewal of Special Permits. The initial term and subsequent terms of a special permit for an accessory apartment shall expire after two years. Subsequent special permit issuances for existing accessory apartments shall be granted after certification by affidavit is made by the applicant to the Board of Appeals that the accessory apartment has not been extended, enlarged, or altered to increase its original dimensions, as defined in the initial special permit application.

2450. Decision. Special permits for an accessory apartment may be issued by the Board of Appeals upon a finding that the construction and occupancy of the apartment will not be detrimental to the neighborhood in which the lot is located and after consideration of the factors specified in Section 5300 of this Zoning By-Law, governing special permits.



TOWN OF LEVERETT
Massachusetts 01054

Article six: voted April 27, 1991 Yes 82, No 28

Complete text:

ARTICLE 6 To see if the Town will vote to amend the
Leverett Zoning By-Laws by deleting existing Section VI.B
regarding driveways and substituting new Section 3500 therefor;

3500. Driveway Regulations.

3510. General. For the purpose of promoting the safety of the residents of the town, an application for a building permit for a residential structure shall include a plan, at a scale of 1" = 100 ft., showing the driveway serving the premises, and showing existing and proposed topography at 10 ft. or 3 meter contour intervals. All driveways shall be constructed in a manner ensuring reasonable and safe access from the public way serving the premises to within a distance 100 feet or less from the building size of the residential structure on the premises, for all vehicles, including, but not limited to, emergency, fire, and police vehicles. The Building Inspector shall not issue a building permit for the principal structure on the premises unless all of the following conditions have been met:

3511. Except in access strips of less than fifty (50) feet width to rear lots, no driveway shall be located within ten (10) feet of any side or rear lot line without written approval by the appropriate abutter(s), or by special permit by the Board of Appeals after a determination that said driveway will provide safe and reasonable access for all vehicles (without applying Section 5330 to said application).

3512. The distance of any driveway measured from the street line to the point where the principal building is proposed shall not exceed a distance of five hundred (500) feet, unless the Board of Appeals shall grant a special permit after a determination that said driveway will provide safe and reasonable access for all vehicles (without applying Section 5330 to said application).

3513. The grade of each driveway where it intersects with the public way shall not exceed eight percent (8%) for a distance of 20 feet from the travel surface of the public way unless the Board of Appeals shall grant a special permit after a determination that said driveway will provide safe and reasonable access for all vehicles (without applying Section 5330 to said application).

3514. Driveways serving the premises shall provide

access through the required frontage of the serviced lot, except in the case of a "common driveway" under Section 3520, herein.

3520. Common driveways serving not more than two (2) lots may be allowed on special permit by the Board of Appeals, after consideration of the criteria set forth in Section 5330, herein; provided both lots meet the standards for "frontage" as set forth in Article VI. A common driveway must satisfy all of the conditions in Sections 3511-3513, as well as all of the following conditions:

3521. The centerline intersection with the street centerline shall not be less than 54 degrees;

3522. A minimum width of 12 feet shall be maintained over its entire length;

3523. A roadway surface of a minimum of 4 inches of graded gravel, placed over a properly prepared base, graded and compacted to drain from the crown shall be installed;

3524. The driveway shall be located entirely within the boundaries of the lots being served by the driveway;

3525. Proposed documents shall be submitted to the Board of Appeals demonstrating that, through easements, restrictive covenants, or other appropriate legal devices, the maintenance, repair, snow removal, and liability for the common driveway shall remain perpetually the responsibility of the private parties, or their successors-in-interest.

A true copy attest:

D'Ann Sauer Kelly

Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

Article seven, voted April 27, 1991

Yes 105, No 15

Complete text:

ARTICLE 7: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Sections IV.D and V.D and substituting the following regarding stream and lake protection therefor:

4500. Stream and Lake Protection District.

4510. Purpose. This overlay district is established to ensure that lands near flowing streams and standing open water bodies shall not be used in such a manner as to endanger the health or safety of Leverett residents.

4520. Applicability. The following areas shall be included in the Stream and Lake Protection District:

4521. Land lying within a horizontal distance of one hundred (100) feet on each side of the bank and/or edge of each and every "Major Stream" in the Town of Leverett, as shown on the "Stream and Lake Protection District Map, Town of Leverett, 1990", hereby appended to and made a part of this by-law.

4522. Land lying within a horizontal distance of fifty (50) feet on each side of the bank and/or edge of each and every "Minor Stream" in the Town of Leverett, as shown on the "Stream and Lake Protection District Map, Town of Leverett, 1990", hereby appended to and made a part of this by-law.

4523. All land that lies within a horizontal distance of one hundred (100) feet from the normal highwater line of all standing open bodies of water shown on the "Stream and Lake Protection District Map, Town of Leverett, 1990", hereby appended to and made a part of this by-law.

4530. Restrictions. The Stream and Lake Protection District shall be considered an overlay district. Land lying within a Stream and Lake Protection District may be used for any purpose otherwise permitted in the underlying zoning district, with the following exceptions:

4531. No septic tank or septic tank leach field or other component of an individual wastewater disposal system shall be constructed within the district;

4532. No dumping, filling, dredging, excavation, transfer or removal of any material which will alter the natural flood water storage capacity of the land, interfere with the natural flow of the water over the land, or increase stream bank erosion shall be permitted except by a written order of conditions from the Leverett Conservation Commission;

4533. No building or structure shall be erected in this district without the issuance of a special permit from the Board of Appeals.

4540. Special Permits. The Board of Appeals may grant a special permit for a building or structure provided that all of the following conditions have been satisfied. Section 5330 shall not be applicable to such special permit applications.

4541. The building or structure is not intended for and shall not be used for human residence;

4542. The construction of the building or structure will not:

a. substantially interfere with the natural flow of water off of the premises; and,

b. constitute a danger to the public safety or health.

A true copy attest:

O Ann Sauer Kelly
Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

A true copy at t:

D'Ann Sauer Kelly
Town Clerk

Article eight: Voted April 27, 1991 Yes 104, No 10

Complete text:

ARTICLE 8. To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4800 regarding flexible development, as follows:

4800. Flexible Development.

4810. Purpose. The purpose of this Section 4800, Flexible Development, is to encourage the preservation of open land for its scenic beauty and to enhance agricultural, open space, forestry, and recreational use; to preserve historical and archeological resources; to protect the natural environment; to protect the value of real property; to promote more sensitive siting of buildings and better overall site planning; to perpetuate the appearance of Leverett's traditional New England landscape; to allow landowners a reasonable return on their investment; to facilitate the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner; and to promote the development of housing affordable to low and moderate income families.

4820. Applicability. Any creation of seven (7) or more lots, whether a subdivision or not, from a parcel or set of contiguous parcels held in common ownership, may proceed under this Section 4800, Flexible Development, pursuant to the issuance of a special permit, as indicated in Section 2230, the Use Regulation Schedule. Such Special Permits shall be acted upon in accordance with the following provisions. In addition, smaller developments may, at the owner's option, be considered as if a Flexible Development, and employ the following provisions, but shall not be eligible for density bonus units as set forth in Section 4852.

4830. Procedures. Applicants for Flexible Development shall file with the Planning Board six (6) copies of the following. The required submittals shall be in addition to any other requirements of the Subdivision Control Law or any other provisions of this Zoning By-Law.

4831. A Development Plan conforming to the requirements for a preliminary subdivision plan under the Subdivision Regulations of the Planning Board. Such plan shall also indicate proposed topography, wetlands, and, unless the development is to be severed, the results of deep soil test pits and percolation tests at the rate of one per every two acres, but in no case fewer than two per Flexible Development. Where wetland delineation is in doubt or dispute, the Planning Board may require the applicant

to submit a request for determination of wetlands to the Conservation Commission. The Planning Board shall refer data on wastewater disposal to the Board of Health for their review and recommendation.

4832. An Environmental Analysis, if required by the Subdivision Regulations.

4833. Any additional information required by the Planning Board to make the determinations and assessments cited in Sections 4840 and 4850, below.

4840. Modification of Lot Requirements. The Planning Board may authorize modification of lot size, shape, and other bulk requirements for lots within a Flexible Development, subject to the following limitations:

4841. Lots having reduced area or frontage shall not have frontage on a street other than a street created by a subdivision involved.

4842. Each lot shall contain not less than one-half of the area required in the district in which the lot is located, and have frontage of not less than 100 feet. Each lot shall have at least 50% of the required yards in the district in which it is located, and may exceed lot coverage requirements by 50%.

4843. Any proposed open land, unless conveyed to the Town or its Conservation Commission, shall be covered by a recorded restriction enforceable by the Town, providing that such land shall be kept in an open state, or that it shall be preserved for exclusively agricultural purposes. Any such land proposed as open land shall be served by suitable access for purposes of recreational use, forest management, or agricultural cultivation.

4850. Number of Dwelling Units.

4851. The Basic Maximum number of dwelling units allowed shall be limited to the number of single family dwelling units that could be constructed in an orthodox subdivision on the site in full conformance with all zoning, subdivision, and other applicable state and local regulations, and without the proposal of extraordinary engineering measures. Where the Basic Maximum Number is in doubt or dispute, the determination of the Planning Board (and its consulting engineer) shall be conclusive for all purposes.

4852. The Planning Board may approve a Flexible

Development containing more than the Basic Maximum number of dwelling units, upon the condition that any increase shall be limited by the following:

a) One additional dwelling unit or lot may be added for each dwelling unit that is made available for a minimum of twenty (20) years via sale, lease, or deed restrictions to persons or families qualifying as low or moderate income as defined by the Executive Office of Communities & Development of the Commonwealth.

b) The total number of additional units to be constructed under sections 4851 and 4852, above, shall not exceed 15% of the Basic Maximum number of dwelling units. Where a fraction of a dwelling unit results in the computation, any fraction larger than 0.5 dwelling unit shall be rounded to the higher figure.

c) No bonus development units shall be allowed in an Aquifer Protection District.

4860. Design of Development.

4861. Departure from the visual scale of single-family development shall be minimized through including not more than 2 dwelling units in a single structure.

4862. Parking areas shall not be located within a required front yard or within ten feet of a lot line. Parking areas shall be screened from public ways by building location, grading, fencing, or plantings. No individual parking area shall contain more than 10 spaces.

4863. No building shall be floodlit. Drives and parking areas shall be illuminated only by shielded lights not higher than 15 feet.

4864. A minimum of 30% of the parcel shown on the Development Plan shall be contiguous open space, excluding required yards. Such open space may be separated by the road(s) constructed within the Flexible Development.

4870. Decision. The Planning Board may approve, approve with conditions, or deny an application for a Flexible Development in accordance with Section 5300 of the Zoning By-Law (governing special permits), and shall deny the

application unless it is deemed that the Flexible Development better promotes the objectives of Section 4810, herein, than would orthodox development.



TOWN OF LEVERETT
Massachusetts 01054

Article twenty-four: Voted April 27, 1991

Article passed on a voice vote majority.

Complete text:

Chapter 3-1

Members of town boards to be elected for three-year overlapping terms of office shall be three (3) members of a Board of Selectmen, five (5) members of a Finance Committee, five (5) members of a Board of Health, three (3) members of a Board of Assessors, six (6) members of a Board of Library Trustees and nine (9) members of a Goals Committee; and seven (7) members of a Planning Board shall be elected for five-year overlapping terms.

(MGL 78:10 was consulted, library trustees number must be divisible by three.)

A true copy attest:

D'Ann Sauer Kelty

Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

Article twenty-eight: Voted April 27, 1991

Article passed unanimously.

Complete text:

§5-1 Powers, duties; intent.

All executive powers of the town, except as otherwise provided in this Code, shall be vested in the Board of Selectmen. It is the intent of this chapter that the Board shall exercise a leadership role in town affairs, establish rules and regulation to be carried out by officers and departments under its jurisdiction and recommend major courses of action to the Town Meeting. The Board of Selectmen shall have the authority to enter into contracts for the provision of goods and services for all areas of town government over which they have jurisdiction.

A true copy attest:

D'Ann Sauer Kelly

Town Clerk





TOWN OF LEVERETT
Massachusetts 01054

ANNUAL TOWN MEETING, APRIL 27, 1991

Article twenty-nine: Moved and seconded that the town vote to take from Free Cash the sum of \$15,000 to reduce the tax rate for the Fiscal Year 1992.

Motion carried.

SPECIAL TOWN MEETING, SEPTEMBER 23, 1991

Article two: Moved and seconded that the town vote to take \$900. from Free Cash for Elections Salaries.

Motion carried.

Article ten: Moved and seconded that the town vote to take \$409.60 from Free Cash to pay a bill of prior years.

Motion carried with vote of Yes, 41 No, 1

Article eleven: Moved and seconded that the town vote to take \$2,280. from Free Cash to replace a furnace and burner at the Town Hall.

Motion carried.

A true copy attest:

D'Ann Sauer Kelty



TOWN OF LEVERETT
Massachusetts 01054

July 5, 1991

Mr. Tony Penske
Attorney General's Office of Municipal Law
One Ashburton Place, Room 2019
Boston, MA 02108

Dear Mr. Penske,

As I explained in a recent telephone conversation, I am submitting bylaw changes as voted at our Annual Town Meeting which convened on April 27, 1991 and adjourned on June 12, 1991.

The changes fall into two categories. Articles 24, 25, and 28 are General Bylaw changes and I followed the general procedure in reporting these to you. The Town also voted to adopt a codification of the General Bylaws as published by General Code Publishers. Because the publication was originally done in 1988 but not adopted or used at all due to pending zoning revisions, the actual book will not be complete in its final revision until several updates are included. I will forward a copy of the final edition to you as soon as it is available.

The second category of change is the bulk of the accompanying packet. The town voted an entirely new zoning bylaw package, through a series of separate warrant articles. The first, lengthy article basically reorganizes and renumbers the bulk of the old laws, and the subsequent articles deal with items that represent substantial changes to the bylaws. I have attached a copy of both the old (current) zoning bylaws and a complete copy of the newly voted bylaws to form 5. The Planning Board worked for two years on these revisions with Attorney Mark Bobrowski, who drafted the wording of the warrant articles. I hope I have submitted these in a workable fashion. Please do not hesitate to call me if there are any questions or problems.

Sincerely,

D'Ann Sauer Kelty

D'Ann Sauer Kelty, Town Clerk
413-548-9150 (office), 413-548-9797 (home)
Box 178, Leverett, MA 01054

Form 1 (revised 1/91)

Town: LEVERETT

Date: June 17, 1991

Attorney General Scott Harshbarger
One Ashburton Place, Room 2019
Boston, Massachusetts 02108
Attn: By-Laws

Dear Attorney General Harshbarger:

Pursuant to G.L. c. 40, § 32, I hereby request approval of the enclosed amendments to town by-laws.

1. Town Meeting (check only one): Annual X Special _____
Fall Annual _____

2. Date Town Meeting (TM) First Convened: April 27, 1991

3. Date(s) of Adjourned Sessions: June 12, 1991

4. Warrant articles (numbers) to be acted upon:

(a) Zoning: 2,3,4,5,6,7,8

(b) Historic District: ---

(c) General: 24, 28

(d) Charter Amendment: ---

5. Maps: warrant articles (numbers) with maps to be approved:

6. Town Counsel: Richard M. Howland

Address: 358 North Pleasant Street, Amherst MA 01002

Phone: (413) 549-4570

7. Town Clerk: D'Ann Sauer Kelty

Signature: *D'Ann Sauer Kelty*

Address: Box 178 Leverett, MA 01054

Phone: (413) 548-9150

FINAL BY-LAWS AS VOTED BY TOWN MEETING

TWO certified copies of all of the articles to be acted upon are attached to this page (stapled, if not too bulky), showing all of the following information for each article:

1. The date of final town meeting action on the article;
2. The complete final text of the article, with any floor amendments incorporated into the text;
3. The final vote of the town meeting, as follows:

If a two-thirds vote is required, the final vote must be certified either as being unanimous or the actual vote count must be shown. The actual vote count must be given if the vote is not unanimous. Certifications such as "unanimous but one" or "unanimous but a few" do not suffice if the actual count is required. A two-thirds vote is required for zoning by-laws (G.L. c. 40A, § 5) and historic district by-laws (G.L. c. 40C, § 3). Other state statutes or town charters or by-laws may also require a counted vote.

If a two-thirds vote is not required, the final vote may be certified as "a majority", "unanimous", or by the actual count.

NOTE: It is preferable that each final by-law as voted by town meeting (with all of the information described above) be submitted on a separate page, in case some articles are ready for approval or disapproval by the Attorney General before others.

(1)

(2)

(3)



TOWN OF LEVERETT
Massachusetts 01054

Article two: voted April 27, 1991

Yes 149, No 27

The complete text of article two is attached. This article represents the bulk of the new zoning by-law package. Sections referred to in this article are being reorganized and renumbered. Little substantive change is represented. The following articles (3,4,5,6,7,8) represent the substantive changes from the existing bylaws.

Complete documents of the existing and the new bylaws are attached to form five of this package.

ARTICLE 2. To see if the Town will vote to amend the Leverett Zoning By-Laws by rewording the "Purpose Clause" and renumbering said provision as new Article I; by deleting existing Section II.A regarding grandfathered uses and substituting new Section 2250 therefor; by deleting existing Section II.B.1 regarding continuation of nonconforming uses and substituting new Section 2252 therefor; by deleting existing Sections II.B.2, II.B.3, II.B.4, and II.B.5 regarding alteration of nonconforming uses and substituting new Sections 2251, 2253, 2254, and 2255 therefor; by deleting existing Sections IV.A (first three lines of text only), IV.B, and IV.C regarding establishment of zoning districts and substituting new Section 2100 therefor; by adding a new Section 2310 and a new Section 2320 regarding construction of single or multiple structures on lots in the town; by rewording existing Section VI.F regarding rear lots, deleting the definition of "building line" therein, and renumbering said section as new Section 2330; by deleting existing Section VI.A and VI.E regarding accessory buildings and substituting new Sections 2240, 2244, 2245, 2246, and 2247 therefor; by adding a new Section 2243 regarding accessory scientific uses; by adding a new Section 2242 regarding the keeping of animals (excepting agriculture); by deleting existing Section V.A.1.g regarding home occupations and substituting new Section 2241 therefor; by deleting existing Section VI.C regarding area of lots; by deleting existing Section VI.J.1 and VI.J.2 regarding prohibited uses; by deleting existing Section VI.H regarding parking and substituting new Section 3100 therefor; by deleting existing Section II.C regarding corner clearance and substituting new Section 3200 therefor; by deleting existing Section VI.I regarding signs and substituting new Section 3300 therefor; by deleting existing Section VI.N regarding erosion control and substituting new Section 3410 therefor; by adding new Sections 3420 and 3430 regarding disturbances and landscaping, respectively; by deleting existing Section VI.G regarding unregistered motor vehicles and substituting new Section 3600 therefor; by deleting existing Sections VI.J.3 and VI.J.4 regarding billboards and lighting; by deleting existing Section VI.K regarding rate of development and by substituting new Section 3700 therefor, which includes a five-year extension; by deleting existing Section VI.L regarding subdivision phasing and substituting new Section 3800 therefor; by deleting existing Section VI.M regarding site plan review and substituting new Section 3900 therefor; by deleting existing Section VI.D regarding earth removal and substituting new Section 4200 therefor; by deleting existing Section V.A.3 regarding campers and campgrounds and substituting new Section 4120 therefor; by deleting existing Sections VII, VIII, IX, X, and XI regarding, respectively, enforcement, penalty, zoning board of appeals, other regulations, and validity, and substituting new Article V (Administration) therefor; and by deleting existing Section III in its entirety, regarding definitions, by deleting the definition of "non-conforming use" in existing Section II.B, and by substituting the following new Article VI (Definitions)

WHEREFOR, NEW ARTICLES I, II, III, IV, V, AND VI OF THE LEVERETT ZONING BY-LAWS SHALL BE, IN PART, AS FOLLOWS:

ARTICLE I. PURPOSE.

These regulations are enacted to promote the general welfare of the Town of Leverett, to protect the health and safety of its inhabitants, to encourage the most appropriate use of land throughout the town, to increase the amenities of the town, and to reduce the hazard from fire by regulating the location and use of buildings and the area of open space around them, all as authorized by the provisions of the Zoning Act, M.G.L.A. ch. 40A, as amended, and by Article 89 of the Amendments to the Constitution.

ARTICLE II. USE AND DIMENSIONAL REGULATIONS.

2100. Districts.

2110. Establishment. For the purposes of this By-Law, the Town of Leverett is hereby divided into the following districts:

Residential/Village	RV
Residence/Rural	RR
General Business	GB
Commercial	COM

Four additional "overlay" districts are also hereby created: a Stream and Lake Protection District (pursuant to Section 4500), a Flood Hazard District (pursuant to Section 4400), an Aquifer Protection District (pursuant to Section 4300), and a Scenic Roads Protection District (pursuant to Section 4600).

The boundaries of these districts are defined and set forth on the map entitled, "Zoning Map, Leverett, Mass.," dated January, 1973, amended April 1989, prepared by T.S. Bacon, Jr., as may be subsequently amended by vote of Town Meeting. This map is on file with the Town Clerk. This map and all explanatory matter therein are hereby made a part of this Zoning By-Law.

2120. Boundary Definition. Except when labelled to the contrary, boundary or dimension lines shown approximately following or terminating at street, railroad, or utility easement center or layout lines, boundary or lot lines at water body shoreline or the channel of a stream, shall be construed to be actually at those lines; when shown approximately parallel, perpendicular, or at an angle to such lines shall be construed to be actually parallel, perpendicular, or at an angle thereto. When not located in any other way, boundaries shall be determined by scale from the map.

2130. Existing Lots. Where a district boundary line divides any lot existing at the time such line is adopted, the use regulations for any district in which the lot has

frontage on a street may be extended not more than forty (40) feet into the other district.

2240. Accessory Buildings and Uses. Any use permitted as a principal use is also allowed as an accessory use, as are others customarily accessory and incidental to permitted principal uses.

2241. Home Occupations. A business or profession may be engaged in as an accessory use of a dwelling by a resident of that dwelling, upon issuance of a special permit by the Board of Appeals, if conforming to the following conditions:

- a. The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto.
- b. Not more than thirty (30) percent of the combined floor area of the residence and any accessory structures shall be used in the home occupation.
- c. The home occupation shall be accommodated within an existing structure without extension thereof.
- d. Not more than two persons not a member of the household shall be employed on the premises in the home occupation.
- e. Except for a permitted sign, there shall be no exterior display, no exterior storage of materials, and no other exterior indication of the home occupation, or other variation from the residential character of the premises.
- f. No disturbance shall be caused as defined in Section 3420.
- g. Traffic generated shall not exceed volumes normally expected in a residential neighborhood.
- h. Parking generated shall be accommodated off-street, other than in a required front yard, and shall not occupy more than 10% of lot area.
- i. Home occupations in an Aquifer Protection District shall not use or store hazardous materials, as defined herein, in quantities greater than 5 gallons or 5 lbs.

2242. Animals. Horses and other animals, including pigs, chickens, and other farm animals, used for non-commercial or non-agricultural purposes, may be stabled (as an accessory use) within the R-R and R-V districts.

2243. Accessory Scientific Uses. Uses, whether or not on the same parcel as activities permitted as a matter of right, which are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit by the Board of Appeals, provided that the Board finds that the proposed use does not substantially derogate from the public good.

2244. One house trailer, mobile home, camping vehicle, or tent may be used as an accessory dwelling on a lot for not more than thirty (30) days in any twelve (12) month period. One house trailer, mobile home, camping trailer, or similar vehicle, not used for dwelling purposes, may be stored out of doors on a lot.

2245. No garage building or accessory building shall be used as a dwelling unit if it is located on a lot with a principal structure serving as a residence.

2246. Rental of a single room in a principal residential structure is permitted as an accessory use.

2247. Dimensional Regulation: Accessory Uses. Accessory structures may not be placed within required yards, except that permitted signs may be located within a required front yard, and a permitted one-story accessory structure may be located within a required rear yard provided that it occupies not more than 25% of the required yard, and provide that it is not located within 10 feet of any property line.

2250. Nonconforming Uses. Any use or structure not conforming with this By-Law may be continued if the use or structure was lawfully existing at the time it became nonconforming, subject to the following:

2251. Alteration, Extension, or Change. As provided in M.G.L.A. ch. 40A, s.6, a nonconforming single or two-family dwelling may be altered or extended provided that the Building Inspector determines that doing so does not increase the nonconforming nature of said structure. Other pre-existing nonconforming structures or uses may be extended, altered, or changed in use on special permit from the Board of Appeals, in accordance with Section 5300 herein, upon a finding by the Board that such alteration, extension, or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use. Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.

2252. Abandonment. A nonconforming use which has been abandoned, discontinued for a period of two years (five years for agriculture, horticulture, floriculture, silviculture or viticulture), or changed to a conforming use, shall not be reestablished, and any future use of the premises shall conform to this Zoning By-Law.

2253. Restoration. Any legally existing nonconforming building or structure may be reconstructed if destroyed by fire or other accidental or natural cause if such reconstruction is begun within twelve (12) months and completed within twenty-four (24) months from the date of the catastrophe (unless a longer period is granted by special permit by the Board of Appeals). Notwithstanding the above, any structure so restored shall not exceed in volume or area the original non-conforming structure, except that where the original structure was non-conforming by virtue of its relation to the set-back, rear yard, or side yard requirements of this By-Law, any restoration may exceed in volume or area the original non-conforming structure as long as the foundation of the restored structure is not in greater noncompliance, as to set-back, rear yard, or side yard, than the original structure.

2254. Premises may be changed from one category of non-conforming use to another only on special permit from the Board of Appeals. Such special permit shall be granted only for uses no more damaging or inharmonious with the environs than the use being replaced.

2255. Additions and accessory buildings which are associated with existing residences that are non-conforming by reason of being closer to lot boundaries than is permitted by these by-laws may be built as close, but not closer, to the lot boundaries than the existing residence.

2300. Dimensional Requirements.

2310. General. No structure shall be erected or used, premises used, or lot changed in size or shape except in conformity with the requirements of this section, unless exempted by this By-Law or by statute (see especially M.G.L.A. ch. 40A, s.6).

2320. Multiple Principal Structures. Not more than one principal structure shall be erected on a lot, unless otherwise authorized in this By-Law, or unless pursuant to a special permit issued by the Planning Board in accordance with Section 5300 herein and the following conditions:

2321. No principal building shall be located in relation to another principal building on the same lot, or on an adjacent lot, so as to cause danger from fire;

2322. All principal buildings on the lot shall be served by access ways suitable for fire, police, and emergency vehicles;

2323. All of the multiple principal buildings on the same lot shall be accessible via pedestrian walkways connected to the required parking for the premises, and to each principal building.

2330. Rear Lots. Rear lots shall not be allowed in General Business or Commercial Districts. Individual lots in Residence Districts need not have the required amount of street frontage, provided that all of the following conditions can be met for each individual lot lacking such frontage:

2331. The area of said lot is at least double the minimum area normally required for the district.

2332. A building line is designated on the plan, and the width of the lot at that line equals or exceeds the number of feet normally required for street frontage in the district.

2333. Lot width is at no point less than 30 feet, and lot frontage is not less than 30 feet. Frontage shall meet all of the requirements contained in the definition for "frontage" in Article VI, herein.

2334. Not more than one (1) rear lot shall be created from a property, or a set of contiguous properties held in common ownership as of April 30, 1988. Documentation to this effect shall be submitted to the Planning Board along with the application for Approval Not Required or Definitive Subdivision Plans under the Subdivision Control Law. The Building Inspector shall not issue a building permit for any rear lot without first establishing that compliance with this provision has been determined by the Planning Board.

2335. At the time of the creation of the rear lot, it shall be held in common and contiguous ownership with the front lot.

2336. The Planning Board shall not approve an application for creation of a rear lot unless the applicant submits a plan under the Subdivision Control Law depicting both the rear lot and the front lot from which the rear lot was created.

2337. Where a single-family structure is situated on a rear lot, the front, rear, and side yards shall equal or exceed those required in the district. However, where a two-family structure is situated on a rear lot, the rear lot shall have 50% more lot area, side yard setback, and frontage than is otherwise required by Section 2330 or Section 2340, whichever is greater.

ARTICLE III. GENERAL REGULATIONS.

3100. Parking and Loading Requirements.

3110. General. Adequate off-street parking must be provided to service all parking demand created by new construction,

whether through new structures or additions to old ones, and by change of use of existing structures. Such parking shall be on the same premises as the activity it serves, or within 300 feet on a separate parcel, which may be jointly used with other premises for this purpose, provided that the continued joint use of such parcel be ensured through an agreement recorded in the Registry of Deeds.

3120. Schedule of Parking Area Requirements. In applying for a building or occupancy permit, the applicant must demonstrate that the following minimums will be met for the new demand without counting existing parking:

Dwellings: Two spaces per dwelling unit.

Motels, hotels, lodging houses: One space per guest unit plus one additional space per eight guest units or fraction thereof.

Retail stores, offices: One space per 150 square feet of leasable floor area.

Industrial or wholesale: Four spaces per five employees on the largest shift.

Places of assembly: One space per three seats, or one space per 12 square feet of seating area, whichever is greater.

Hospitals: One space per bed.

Nursing homes: One space per four beds.

All others: As determined by the Building Inspector.

3130. Parking Area Design. No off-street parking area shall be maintained within 20 feet of a street right-of-way line. All required parking areas except those serving single-family or two-family residences shall be paved or covered with some other appropriate surface, except that oil and stone surfaces shall not be permitted. For parking areas of eight (8) cars or more, Sections 3131 - 3132 shall apply:

3131. Parking area use shall not require backing onto a public way.

3132. Parking lots for 8 or more cars shall be screened from any residential use or district which is abutting or separated from it only by a street, pursuant to Section 3432.

3140. Loading Requirements. Adequate off-street loading facilities and space must be provided to service all needs created by new construction, whether through new structures or additions to old ones, and by change of use of existing structures. Facilities shall be so sized and arranged that no trucks need back onto or off of a public way, or be parked on a public way while loading, unloading, or waiting to do so.

3200. Sight Obstruction.

At corners, no sign (except signs erected by a public agency), fence, wall, hedge, or other obstruction shall be allowed to block vision between 2 1/2 and 8 feet above the street grade within an area formed by the intersecting street lines and a straight line joining the points of said street lines 20 feet back from their point of intersection.

3300. Signs.

3310. In Residence Districts the following signs are permitted.

3311. For each residence or permitted accessory use, one sign not over six square feet in area is allowed.

3312. For permitted buildings, structures and uses of the premises, other than one or two family dwellings and their accessory uses, two signs not over six square feet in total area are allowed, unless the Board of Appeals grants a special permit for a larger sign.

3313. Temporary, unlighted signs pertaining to the construction, lease or sale of the premises are allowed provided such signs do not exceed 6 square feet in total area.

3320. In General Business and Commercial Districts, signs advertising the name of the firm and the products and services produced or available on the premises are permitted only as follows:

3321. One (1) sign or other advertising device attached flat against the wall of a building, which does not project above the wall to which it is attached and which does not project more than 24 inches from the building shall be allowed for each firm on the premises. The aggregate sign(s) or device(s) serving all firms on the premises shall not exceed 32 square feet in area, and no single sign shall exceed 16 square feet in area. One additional sign serving all firms may be attached to a marquee which is an integral part of the building provided the total area of such sign does not exceed six square feet.

3322. As an alternative to Section 3321, one sign or other advertising device of a free-standing nature may be erected for each firm or such signs may be combined into one or more units provided that in all cases the total sign area for the premises does not exceed 16 square feet in area and 15 feet in height. All such signs shall be located at least 10 feet from the public right-of-way and 20 feet from the principal structure(s) on the premises.

3330. General Sign Restrictions.

3331. Signs, announcements, or bulletin boards not exceeding 16 square feet in area are allowed in all zoning districts in connection with public, charitable or religious uses.

3332. No sign or advertising device shall project over any pedestrian or vehicular way customarily used by the public.

3333. No exterior sign or advertising device shall incorporate motion or be lighted by flashing or blinking lights or utilize a change in light intensity.

3334. All illumination of signs or other advertising devices shall be shielded or indirect. No exterior sign or interior sign visible from the exterior of the structure shall be illuminated during hours the business is not open, provided, however, that no sign in a Residence District shall be illuminated after 9:00 p.m.

3335. No non-accessory sign or billboard shall be allowed.

3336. Signs required by federal or state law are allowed in all districts. Signs posting land against trespassing, hunting, or fishing, are also allowed in all districts.

3340. Signs Allowed on Special Permit. The Board of Appeals may grant special permits as follows, without application of Section 5330.

3341. For changes in existing signs on nonconforming uses in Residence Districts provided such changes are within the limits established for General Business and Commercial Districts, and not detrimental to the neighborhood.

3342. For a directional or identification sign in any district where such sign will serve the public convenience and not be detrimental to the neighborhood with respect to size, location, or design.

3350. Temporary Signs. Temporary signs (except for signs relating to sale, rental, or construction on the premises governed by Section 3313) referring to a political campaign public event shall be allowed, provided that each sign does not exceed twelve (12) square feet in area. No such temporary sign shall be displayed more than one month prior to the election or event, and such signs shall be removed within 7 days of the completion of the activity to which they relate.

3400. Environmental Controls.

3410. Erosion Control. Site design, materials, and construction processes shall be designed to avoid erosion damage, sedimentation, or uncontrolled surface water runoff

by conformance with the following:

3411. Grading or construction, or natural site characteristics, which will result in final slopes of 25% or greater on 50% or more of lot area, or on 30,000 square feet or more on a single parcel, even if less than half the lot area, shall be allowed only under special permit from the Planning Board, which shall be granted only upon demonstration that adequate provisions have been made to protect against erosion, soil instability, uncontrolled surface water runoff, or other environmental degradation. Section 5330 shall not be applicable to such special permit applications. Applications and plans for such special permits shall be referred to the Conservation Commission for their advisory review.

3412. All slopes exceeding 15% from site grading shall either be covered with topsoil to a depth of 4" and planted with vegetative cover sufficient to prevent erosion or be retained by a wall constructed of masonry, reinforced concrete or treated pile or timber.

3413. No area or areas totalling 2 acres or more on any parcel or contiguous parcels in the same ownership shall have existing vegetation clear-stripped or be filled 6" or more so as to destroy existing vegetation unless in conjunction with agricultural activity, or unless necessarily incidental to construction on the premises under a currently valid building permit, or unless within streets which are either public or designated on an approved subdivision plan, or unless a special permit is approved by the Planning Board on condition that runoff will be controlled, erosion avoided, and either a constructed surface or cover vegetation will be provided not later than the first full spring season immediately following completion of the stripping operation. No stripped area or areas which are allowed by special permit shall remain through the winter without a temporary cover of winter rye or similar plant material being provided for soil control, except in the case of agricultural activity where such temporary cover would be infeasible. Section 5330 shall not be applicable to such special permit applications.

3414. The Building Inspector shall require information of the applicant, in addition to that otherwise specified herein, necessary to ensure compliance with these requirements, including, if necessary, elevations at key locations, description of vegetative cover, and the nature of impoundment basins proposed, if any.

3415. Where resultant site grades will exceed 15%, the town shall require a performance bond to ensure compliance with these requirements.

3416. Hillside areas shall be retained with vegetative cover as follows:

Average percentage slope	Minimum percentage of land to remain in vegetation
10.0 - 14.9	25
15.0 - 19.9	40
20.0 - 24.9	55
25.0 - 29.9	70
30.0 and above	85

3420. Disturbances. No use shall be allowed if it will cause sound, noise, vibration, odor, or flashing (except for warning devices, temporary construction, or maintenance work, parades, recreational or agricultural activities, or other special circumstances) so as to create a nuisance.

3430. Landscaping.

3431. Parking lots for 8 or more cars shall contain, or be bordered (within 5 feet) by, at least one tree per 5 cars or fraction thereof, trees to be of 2" caliper or larger, and if within the parking area, to be planted in curbed soil plots allowing not less than 30 square feet of unpaved soil area per tree.

3432. All outdoor sales display areas, all commercial buildings or commercial outdoor recreation areas, parking areas with more than 8 spaces, all mobile homes, and all two-family structures shall be screened from any adjacent residential use or district by a wall, fence, or be equivalently obscured by natural vegetation. Contractor's yards, open storage, loading facilities, or service yards shall be similarly screened from any adjacent residential district or use and from any public way from which they would otherwise be visible, and shall not be located within any required front yard.

3600. Unregistered Motor Vehicles.

Unregistered motor vehicles (other than farm vehicles) which are unfit for use, permanently disabled, or otherwise inoperative

shall not be stored, parked, or placed upon any land in the Town for more than thirty (30) days unless such vehicles are kept within a building or are otherwise screened or located so as not to be visible from a public way or from abutting properties. Vehicles which are kept in an area properly approved for such storage by a licensed dealer in motor vehicles are exempt from this by-law.

3700. Rate of Development.

3710. Purpose. The purpose of Section 3700, "Rate of Development," is to promote orderly growth in the Town of Leverett, consistent with the rate of residential growth over the last six (6) calendar years, to phase growth so that it will not unduly strain the community's ability to provide basic public facilities and services, to provide the Town, its boards and its agencies information, time, and capacity to incorporate such growth into the Master Plan for the community, and to preserve and enhance existing community character and the value of property.

3720. General. Beginning on January 1, 1991, building permits for not more than 26 dwelling units shall be issued in each of the five full calendar years following said date, for the construction of new residential dwellings. For the purposes of this Section 3700, a duplex or two-family structure shall constitute two dwelling units; a principal residence with an accessory apartment therein shall constitute two dwelling units.

3730. Procedures. Any building permits issued shall be issued in accordance with the following procedures:

3731. Building permits shall be issued on Monday (or, in the case of a holiday, on Wednesday) of each week by the Building Inspector. The Building Inspector shall act on each permit in order of submittal. Any permit application that is incomplete or inaccurate shall be returned to the applicant and shall require new submittal.

3732. From the first Monday in January through the last Monday in June, one (1) permit shall be issued per week. Permits not issued in any week of the calendar year in accordance with this schedule shall be available in any subsequent week up to the last Monday in June for issuance by the Building Inspector. If all 26 permits have not been issued by the last Monday in June, the remaining permits shall be issued as applied for.

3733. The Building Inspector shall mark each application with the time and date of submittal, and shall act on each application in a timely manner.

3734. Any Building Permits not issued in any calendar year shall not be available for issuance in any subsequent year.

3735. At the end of the calendar year in which this by-law is in effect, the Building Inspector shall retain all applications for which a building permit has not been issued. Upon being informed in writing by the applicant before the first Monday in January of the succeeding calendar year that the applicant desires the application to remain in effect, the Building Inspector shall treat said application in accordance with Section 3733, above.

3736. Nothing contained in this Section 3700 shall be deemed to entitle an applicant to more building permits in any calendar year than such applicant would be entitled to under Section 3800, below.

3740. Special Needs Housing. Upon a determination by the Planning Board under a special permit application that the proposed development will meet special needs in housing provision, the proposed development shall be exempt from this Section 3700 in its entirety. Such special permit exempting the applicant from Section 3700 shall be granted if the housing is proposed by a public or non-profit organization relying on committed state or federal subsidies and a majority of the units will initially be sold or leased at terms affordable to households or individuals with incomes not exceeding those defined as "moderate income" by the Massachusetts Executive Office of Communities & Development. Other applicants may qualify for a special permit upon a showing that a majority of the units will initially be sold or leased at terms affordable to households or individuals with incomes not exceeding those defined as "moderate income" by the Massachusetts Executive Office of Communities & Development, or upon a showing that the housing, because of its type, affordability, or market, significantly diversifies the Leverett housing stock. Section 5330 shall not apply to such special permit applications.

3750. Exemptions. The provisions of this Section 3700 shall not apply to, nor limit in any way, the granting of building or occupancy permits required for enlargement, restoration, or reconstruction of dwellings existing on lots as of the date of passage of this by-law, but shall apply to the conversion of single-family to two-family dwellings.

3760. Extension. This Section 3700 may be extended without lapse of its provisions and limitations, by vote of the Town Meeting prior to April of 1995.

3800. Subdivision Phasing.

3810. Purpose. The purpose of Section 3800, "Subdivision Phasing," is to assure that growth shall be phased so as not to unduly strain the town's ability to provide public facilities and services, so that it will not disturb the social fabric of the community, and so that it will be in keeping with the community's desired rate of growth.

3820. Applicability. Any division of land into more than 10 lots in any twelve month period shall be subject to the following regulations and conditions set forth herein.

3830. Requirements. Whenever a new lot or lots is or are formed from a part of any other lot or lots, the assembly or separation shall be effected in such a manner as to not impair any of the requirements of this by-law, and shall be in accordance with the Subdivision Regulations of the Town of Leverett.

3840. Division of Land Limitations. The division of a parcel or combined adjacent parcels of land in any zoning district shall not exceed ten (10) lots in any twelve month period. This provision shall apply to any proposed division or combination of properties which were in the same ownership and contiguous as of April 25, 1987. The foregoing provisions shall be applicable to all subdivision of land within the Town of Leverett even if approval under the Subdivision Control Law, G.L. c. 41, is not required.

3850. Exceptions. Division of land in excess of ten (10) lots as defined in Section 3840, above, may be allowed only if one of the following requirements are met:

3851. The owner of said land covenants with the Planning Board that she will not build upon more than ten (10) lots in any 12 month period. Said 12 month period shall commence on the date of endorsement by the Planning Board. The covenant shall identify the lots that may be built upon in each 12 month period. The covenant shall be recorded with all other pertinent documents with the Definitive Plan or the plan which has been endorsed "Approval Not Required;"

3852. The owner of said land applies for and receives a special permit from the Planning Board to create more than 10 lots in any 12 month period. The Planning Board may grant a special permit for such division only if the Board determines that the probable benefits to the community outweigh the probable adverse effects resulting from granting such permit, considering the impact on schools, other public facilities, traffic and pedestrian travel, recreational facilities, open spaces and agricultural resources, traffic hazards, preservation of unique natural features, planned rate of development, and housing for senior citizens and people of low or moderate income, as well as Master Plan or Growth Management Plans prepared by the Planning Board pursuant to M.G.L.A. ch. 41, s. 81D. Section 5330 shall not be applicable to such special permit applications.

3860. Zoning Change Protection. The protection against subsequent zoning change granted by M.G.L.A. ch. 40A, s.6 to land in a subdivision shall, in the case of a development whose completion has been constrained by this Section 3800, or subject to the covenant as provided in Section 3851, be extended to ten

years.

3870. Relation to Real Estate Assessment. Any land owner denied a building permit because of these provisions may appeal to the Board of Assessors, in conformity with M.G.L.A. ch. 59, s. 59, for a determination as to the extent to which the temporary restriction on development use of such land shall affect the assessed valuation placed on such land for purposes of real estate taxation, and for abatement as determined to be appropriate.

3900. Site Plan Review.

3910. Applicability and Procedure. Applications for building permits for duplexes, or for nonresidential or nonagricultural construction, including applications for extensions, alterations, or changes to duplexes, available as of right, shall be accompanied by an approved Site Plan in accordance with the criteria specified below. Such approval from the Planning Board shall be obtained prior to application for a building permit. Applicants shall submit four (4) copies of the site plan to the Planning Board for review. The Planning Board shall review and approve the site plan, with such conditions as may be deemed appropriate, within sixty (60) days of its receipt, and notify the applicant of its decision. The decision of the Planning Board shall be upon a majority of those present and shall be in writing. No building permit shall be issued by the Building Inspector without the written approval of the site plan by the Planning Board, or unless 60 days lapse from the date of the submittal of the site plan without action by the Planning Board.

Applications for special permits for nonresidential or nonagricultural construction or uses, including applications for extension, alteration, or changes to nonconforming nonresidential or nonagricultural structures or uses, shall be accompanied by four (4) copies of a site plan in accordance with the criteria specified below. Site plans accompanying applications such special permits shall be referred by the Zoning Board of Appeals, where applicable, to the Planning Board within seven days of filing for its review and written report, and no special permit shall be issued by the Board of Appeals without the written approval of the site plan by the Planning Board, or unless 45 days lapse from the date of the application without action by the Planning Board. Where the Planning Board approves a site plan "with conditions", and said site plan accompanies a special permit application to the Board of Appeals, the conditions imposed by the Planning Board shall be incorporated into the issuance, if any, of a special permit by the Board of Appeals.

3920. Plans. Plans subject to this section shall show:

3921. Existing and proposed topography at 2 foot or 1 meter contour intervals;

3922. Water provision, including fire protection measures;

3923. Sanitary sewerage;

3924. Storm drainage, including means of ultimate disposal and calculations to support maintenance of the requirements in Sections 3000 and 4000 of the Planning Board's Subdivision Rules and Regulations;

3925. Parking, access, and egress provisions;

3926. Planting, landscaping, and screening;

3927. All boundary line information pertaining to the land sufficient to permit location of same on ground;

3928. Compliance with all applicable provisions of this Zoning By-Law.

3930. Site Plans shall be submitted on 24-inch by 36-inch sheets. Plans shall be prepared by a Registered Professional Engineer and a Registered Land Surveyor. Dimensions and scales shall be adequate to determine that all requirements are met and to make a complete analysis and evaluation of the proposal. All plans shall have a minimum scale of 1"=200'.

3940. Site Plan approval shall be granted upon determination by the Planning Board that the following conditions have been satisfied. The Planning Board may impose reasonable conditions, even at the expense of the applicant, to ensure that the following conditions have been satisfied. Any new building construction or other site alteration shall provide adequate access to each structure for fire and service equipment and adequate provision for utilities and stormwater drainage consistent with the functional requirements of the Planning Board's Subdivision Rules and Regulations. New building construction or other site alteration shall be designed in the Site Plan, after considering the qualities of the specific location, the proposed land use, the design of building form, grading, egress points, and other aspects of the development, so as to:

3941. Minimize the volume of cut and fill, the number of removed trees 6" caliper or larger, the length of removed stone walls, the area of wetland vegetation displaced, the extent of stormwater flow increase from the site, soil erosion, and threat of air and water pollution;

3942. Maximize pedestrian and vehicular safety both on the site and egressing from it;

3943. Minimize obstruction of scenic views from publicly accessible locations;

3944. Minimize visual intrusion by controlling the visibility of parking, storage, or other outdoor service areas viewed from public ways or premises residentially used or zoned;

3945. Minimize glare from headlights through plantings or other screening;

3946. Minimize lighting intrusion through use of such devices as cut-off luminaires confining direct rays to the site, with fixture mounting not higher than 20 feet;

3946. Minimize unreasonable departure from the character and scale of building in the vicinity, as viewed from public ways.

3947. Minimize contamination of groundwater from on-site waste-water disposal systems or operations on the premises involving the use, storage, handling, or containment of hazardous substances.

3950. Lapse. Site plan approval shall lapse after one year from the grant thereof if a substantial use thereof has not sooner commenced except for good cause. Such approval may, for good cause, be extended in writing by the Planning Board upon the written request of the applicant.

3960. Regulations. The Planning Board may adopt and from time to time amend reasonable regulations for the administration of these Site Plan guidelines.

ARTICLE IV. SPECIAL REGULATIONS.

4100. Campers and Campgrounds.

4110. Campers may be occupied either in a campground, or by non-paying guests accessory to a residence for up to 30 days in any calendar year. Campers may be stored accessory to a residence.

4111. Campgrounds. Campgrounds are allowed only on special permit from the Board of Appeals, and following approval from the Board of Health, and shall conform to the following minimum requirements:

- a. parcel minimum area to be twenty (20) acres.
- b. each rental plot shall be at least 5,000 sq. ft., and not more than 50 plots shall be allowed per campground.
- c. campers shall not be placed within 80 feet of a street or a lot line.
- d. site plan approval from the Planning Board.

4200. Earth Removal. The removal from any premises of more than 50 cubic yards of sand, gravel, stone, topsoil, loam, or similar materials within any twelve-month period shall be allowed only on special permit from the Board of Appeals, unless such removal is incidental to construction on the premises under a current building permit, or routine to farming operations and noncommercial. A special permit shall be granted subject to the following conditions, and subject to the special permit criteria of Section 5300, below.

4210. Plan. The application shall be accompanied by a plan or plans indicating existing topography, base grades below which no excavation will take place, existing and proposed cover vegetation, and proposed topography upon completion.

4220. Screening and Noise. Excavation areas and processing equipment shall be screened by buffer strips or other means, and noise and dust shall be controlled to meet the requirements of Section 3420.

4230. Restoration. Following removal, all excavated areas shall be restored by grading to provide for drainage and for slopes not to exceed one foot vertical to two feet horizontal, and by covering with four inches of topsoil, and by planting with cover vegetation, all of which shall have been established prior to release of the bond.

4240. Bond. A performance bond shall be posted in an amount sufficient to assure satisfactory fulfillment of all of the above requirements.

4300. Aquifer Protection District.

4310. Purpose. The purpose of the Aquifer Protection District is to protect the public health by preventing contamination of the ground and surface water resources providing existing or potential public water supply, as may be contained within the aquifer recharge areas within the town.

4320. Establishment of Districts. The Aquifer Protection Districts are herein established as overlay districts. The Aquifer Protection Districts include aquifer recharge areas, as identified on the map entitled "Aquifer Protection District Overlay," Leverett, Mass., January 1987. The map is hereby made a part of this Zoning By-Law and is on file in the office of the Town Clerk.

4321. Where a portion of the lot is located partially within and partially without an Aquifer Protection District, site design shall, to the extent feasible, locate potential pollution sources outside the district boundaries. If any portion of a proposed residential building lot lies within an Aquifer Protection District, the entire lot shall be subject to the dimensional requirements and restrictions of the Aquifer Protection District, unless a special permit is issued by the Board of Appeals in accordance with Section 4380, herein.

4322. Where the boundaries of the Aquifer Protection District are in doubt or dispute, the burden of proof shall be upon the owner of the land in question to show where the boundaries shall be properly located. Resolution of boundary disputes shall be through a finding made by the Planning Board. Any application for a finding under this subsection 4322 shall be accompanied by documentation prepared by a person who

meets the following two requirements:

1. Is experienced in delineating hydrogeologic zones in Massachusetts, and
2. Has one of the following credentials:

TITLE	CONFERRING ENTITY
Registered Professional Hydrogeologist	American Institute of Hydrology
Certified Professional Geologic Scientist	American Institute of Professional Geological Scientists
Registered Professional Engineer, Sanitary	Commonwealth of Massachusetts
Certified Ground Water Professional	Association of Ground Water Scientists and Engineers
Certified Professional Soil Scientist	American Registry of Certified Professionals in Agronomy, Crops, and Soils, Ltd.

The Planning Board may require the applicant, in making the determination of the location and extent of aquifer recharge areas (where such are in doubt or dispute), to conduct such field tests, at the applicant's expense, including core samples of the soil, as may be reasonably necessary.

4330. Use Regulations.

4341. Within an Aquifer Protection District, the requirements of the underlying districts continue to apply, except that uses are prohibited where indicated by "N" in the following schedule, and require a Special Permit where indicated by "SP", even where the underlying district requirements are more permissive. Uses permitted in the underlying districts are otherwise allowed in an Aquifer Protection District.

S C H E D U L E

1. PRINCIPAL USES

- | | |
|--|---|
| (a) Manufacture, use, storage, transport, or disposal of more than 5 gallons or 5 lbs. of hazardous materials per year | N |
| (b) Sanitary landfill, solid waste disposal (except stump and brush disposal) | N |

- | | |
|---|---|
| (c) Septage lagoon | N |
| (d) Road salt stockpile | N |
| (e) Junkyard, salvage yard, truck terminal,
or school bus parking facility with
more than 10 parking spaces, railroad
transfer station | N |
| (f) Gasoline station, car wash, auto repair
or auto body shop | N |
| (g) Residential, commercial, or industrial
structure on a lot with less than 120,000
sq. ft., or with less than 300 ft.
frontage (except rear lot) | N |
| (h) Wood preserving and furniture stripping
operations | N |
2. ACCESSORY USES
- | | |
|---|----|
| (a) Underground storage or transmission of
hazardous materials, including fuel oil and
gasoline | N |
| (b) Aboveground storage of hazardous materials in
quantities greater than 5 lbs. or 5 gallons,
except storage of fuel oil for residential
accessory use | SP |
| (c) Any use generating hazardous wastes in
quantities greater than 5 gallons or 5 lbs. | SP |
| (d) Animal feedlots, manure storage, pesticide
storage | SP |
3. OTHER USES
- | | |
|---|----|
| (a) Rendering impervious more than 20 percent
of total lot area, regardless of size | N |
| (b) Any use, regardless of lot size retaining
less than 60 percent of lot area in its
natural vegetative state | SP |
| (c) Removal of earth, loam, sand, and gravel,
or any other mineral, in excess of 10 yards,
not incidental to construction of a building | SP |
| (d) Any use having on-site disposal system for
domestic wastes with a design capacity
greater than 2500 gallons per day, as
required by 310 CMR 15.00 | SP |

4340. Special Permit Granting Authority. The Special Permit Granting Authority (SPGA) shall be the Board of Appeals. Such Special Permit may be granted if the SPGA

determines that the intent of this Section 4300, as well as the specific criteria of Section 4360 are met. In making such determination, the SPGA shall give consideration to the simplicity, reliability, and feasibility of the control measures proposed and the degree of threat to groundwater quality which would result if the control measures failed. Any Special Permit required under this Section 4300 shall be in addition to, and separate from, any other Special Permit required under any section of this Zoning By-Law.

4350. Procedure. Applicants shall file six (6) copies of applications for Special Permits with the Board of Appeals. Whenever an application for a Special Permit is filed with the Board of Appeals under Section 4340, the Board of Appeals shall transmit within 10 working days of the filing of the completed application, copies of the application and other documentation, to the Board of Health, Planning Board, Conservation Commission, and the Building Inspector for their consideration, review, and report. The copies necessary to fulfill this requirement shall be furnished by the applicant. Failure of these reviewing parties to make recommendations within 35 days after having received copies of all such required materials shall be deemed a lack of opposition thereto. The Decision/Findings of the Board of Appeals shall contain, in writing, an explanation for any departures from the recommendations of any reviewing party.

4360. Special Permit Criteria. Special Permits hereunder shall be granted only if the SPGA determines (without application of Section 5330), after reviewing the recommendations of the reviewing parties delineated in Section 4350, that the proposed use:

4361. Is in harmony with the purpose and intent of this by-law and will promote the purpose of the Aquifer Protection District;

4362. Is appropriate to the existing topography, soils, and other natural characteristics of the site to be developed;

4363. Is adequately provided with sewage and water facilities or possesses suitable soils for on-site wastewater disposal and water systems;

4364. Will not have an adverse environmental impact on any watershed, watercourse, or water body in the district, during construction or thereafter;

4365. Will not result in groundwater quality below the more restrictive of federal or state standards for drinking water, or, if existing groundwater quality is already below those standards, on-site disposal or operations will result in no further deterioration.

4370. Submittals. In applying for a Special Permit hereunder, the SPGA shall require the information listed below, unless waived or modified by the SPGA, with reasons therefor.

An application shall not be deemed filed until all required information is filed with the Board of Appeals.

4371. A description of soil erosion and sedimentation control measures; provisions to prevent soil compaction; provisions to prevent seepage from septic systems or from interior floor surfaces.

4372. A complete list of all chemicals, pesticides, fuels, or other potentially hazardous materials to be used or stored on the premises in quantities greater than 5 gallons or 5 lbs. accompanied by a description of the measures proposed to protect all storage containers from vandalism, corrosion, and leakage, and to provide for control of spills.

4373. A description of all potentially hazardous wastes to be generated in quantities greater than 5 gallons or 5 lbs., accompanied by a description of the measures proposed to protect all waste storage facilities from vandalism, corrosion, and leakage, and to provide for control of spills.

4374. For aboveground storage of hazardous materials or waste, certification by a Registered Professional Engineer that such storage facilities or containers are (i) in compliance with all applicable federal or state regulations, and (ii) in compliance with design specifications, as prepared by a Registered Professional Engineer.

4375. For any proposed activity on a lot which will render more than 20 percent of the total lot area impervious, the application shall be accompanied by drainage calculations, prepared by a Registered Professional Engineer, demonstrating that any increase in the volume of runoff shall be recharged on-site and diverted towards areas with vegetation for surface infiltration to the maximum extent feasible. The plan shall be accompanied by a narrative statement explaining the use of any dry wells, which shall be allowed only upon a showing that other methods of drainage are infeasible, and that such dry wells are preceded by oil, grease, and sediment traps to facilitate removal of contaminants.

4376. For any use retaining less than 60 percent of lot area in its natural vegetative state, the application shall be accompanied by evidence, prepared by a Registered Professional Engineer, to demonstrate that such removal of vegetative cover shall not result in decreased recharge of the groundwater deposit, or increased sedimentation of surface waters. The application shall also indicate proposed restoration plans, if any, or erosion control methods proposed for the premises.

4377. For any use with an on-site disposal system for domestic wastes with a design capacity of greater

than 2,500 gpd, as required by 310 CMR 15.00, certification by a Registered Professional Engineer that the disposal system has been installed in compliance with design specifications, accompanied by a narrative statement assessing the impact, if any, of nitrates, coliform bacteria, and hazardous materials from the disposal system on any wells downgradient from the proposed disposal system.

4378. Applications for removal of earth, loam, sand, and gravel, or any other mineral in excess of ten cubic yards, shall be accompanied by a narrative statement, prepared by a Registered Professional Engineer, assessing the impact, if any, of the proposed activity on groundwater quality downgradient to any well. No excavation or removal shall be conducted within ten (10) feet of the seasonal high water table on the property in question.

4379. Applications for animal feedlots or manure lots shall be accompanied by certification, prepared by the Soil Conservation Service, or the Agricultural Stabilization and Conservation Service, that the proposed use is in accordance with the Best Management Practices of that agency.

4380. Special Permits for Dimensional Restrictions for Residential Lots. Any residential building lot lying partially within and partially without the Aquifer Protection District may apply for a special permit to waive application of the more stringent dimensional requirements of this Section 4300. The SPGA may grant such special permit (without application of Section 5330), only upon a determination that the residential construction will not increase ground or surface water pollution. In making such determination, the SPGA shall consider the following factors:

4381. The use of the lot, the type and nature of proposed structure(s), pollution sources to be placed thereon (including wastewater disposal);

4382. The use of adjacent lots, type and nature of pollution sources thereon (including wastewater disposal);

4383. The location of any wells or other domestic water supplies on the lot or an adjacent lot;

4384. The percentage of the lot within the Aquifer Protection District;

4385. The density of the surrounding area;

4386. The topographical and geological features of the lot;

4387. The extent to which structures and potential pollution sources will be located on the lot without

the Aquifer Protection District.

4390. Nonconforming Uses. Any nonconforming use may continue in the Aquifer Protection District, pursuant to G.L. c. 40A, s. 6, and may be extended, altered, or changed provided that the Board of Appeals, as a part of the finding or special permit decision required, determines that such extension, alteration, or change will not increase the danger of groundwater pollution from the premises.

4400. Flood Hazard District.

4410. Purpose. The Flood Hazard District is established to protect the public health, safety, and general welfare, to protect human life and property from the hazards of periodic flooding, to preserve natural flood control characteristics and flood storage capacity of the flood plain, and to preserve and maintain the ground water table and water recharge areas within the flood plain.

4420. Establishment of Districts. The Flood Hazard District is herein established as an overlay district. The boundaries of the Flood Hazard District are defined as:

4421. All areas delineated on the Leverett Flood Insurance Rate Map (FIRM), dated June 4, 1980, as Zones A, A-1, A-2, and A-3 to indicate the 100 year flood plain. The boundary of the 100 year flood plain is further defined by the Flood Profiles contained in the Flood Insurance Study, dated November 1979, herein incorporated into this by-law by reference; and

4422. All areas delineated on the Leverett Flood Boundary Floodway Map (FBFM), dated June 4, 1980, and further defined by the Floodway Data Tables contained in the Flood Insurance Study.

4423. Within Zone A, where the 100 year flood elevation is not provided on the FIRM, the applicant shall obtain any existing flood elevation data and provide such data to the Board of Appeals for review. If the Board of Appeals deems such data to be accurate, it may be relied upon for purposes of this by-law and the State Building Code.

4430. Use Regulations.

4341. Within a Flood Hazard District, the requirements of the underlying districts continue to apply, except that uses are prohibited where indicated by "N" in the following schedule, and require a Special Permit where indicated by "SP", even where the underlying district requirements are more permissive. Uses permitted in the underlying districts are otherwise allowed in a Flood Hazard District.

S C H E D U L E

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- (a) Temporary non-residential structures used in connection with growing, harvesting, storage, or sale of crops raised on the premises Y
 - (b) Construction, reconstruction, or creation of any structure or building; dumping, filling, excavating, transferring, or altering (in any way) the natural topography of the land, except as provided in (d), below SP
 - (c) Expansion, alteration, or change to a lawfully existing nonconforming structure. SP
 - (d) Agriculture, silviculture, viticulture, floriculture and horticulture, without construction of structures, placement of fill, or storage of equipment Y
 - (e) Outdoor public recreation areas, conservation areas, wildlife management, without construction of structures, placement of fill, or storage of equipment Y

4440. Special Permit Granting Authority. The Special Permit Granting Authority (SPGA) shall be the Board of Appeals. Such Special Permit may be granted if the SPGA determines that the intent of this Section 4400, as well as the specific criteria of Section 4460 are met. In making such determination, the SPGA shall give consideration to the simplicity, reliability, and feasibility of the control measures proposed and the degree to which allowance of the use would increase flood levels during the occurrence of the 100 year flood. Any Special Permit required under this Section 4400 shall be in addition to, and separate from, any other Special Permit required under any section of this Zoning By-Law.

4450. Procedure. Applicants shall file six (6) copies of applications for Special Permits with the Board of Appeals. Whenever an application for a Special Permit is filed with the Board of Appeals under Section 4340, the Board of Appeals shall transmit within 10 working days of the filing of the completed application, copies of the application and other documentation, to the Board of Health, Planning Board, Conservation Commission, and the Building Inspector for their consideration, review, and report. The copies necessary to fulfill this requirement shall be furnished by the applicant. Failure of these reviewing parties to make recommendations within 35 days after having received copies of all such required materials shall be deemed a lack of opposition thereto. The Decision/Findings of the Board of Appeals shall contain, in writing, an explanation for any departures from the recommendations of any reviewing party.

4460. Special Permit Criteria. Special Permits hereunder shall

be granted only if the SPGA determines (without application of Section 5330), after reviewing the recommendations of the reviewing parties delineated in Section 4450, that the proposed use:

4461. Complies in all respects with the requirements of the underlying district in which the land is located;

4462. Via encroachments, including fill, new construction, substantial extension, alteration or change to existing structures, and other activities will not result in any increase in flood levels during the occurrence of the 100 year flood.

4600. Scenic Roads Protection.

4610. Purpose and Applicability. Pursuant to G.L. c. 40, s. 15C, the Town of Leverett has designated all public ways as Scenic Roads. Designation as a Scenic Road allows the town to preserve the qualities and character of town ways. It is the intent of this by-law to further that purpose.

4620. Requirements. Any repair, maintenance, construction, reconstruction, or paving work done with respect to a Scenic Road shall not involve or include the cutting or removal of trees of more than 10" dbh (diameter/breast height), or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the Planning Board. The Planning Board will hold a hearing pursuant to G.L. c. 40, s. 15C on such application.

4630. Decision. The Planning Board shall consider the following criteria in reviewing applications under this Section 4600:

4631. Public safety;

4632. Enhancement of scenic views along the roadway;

4633. Preservation of historic and other existing features;

4634. Preservation of the natural environment.

4640. Regulations. The Planning Board may adopt reasonable regulations for the administration of this by-law.

ARTICLE V. ADMINISTRATION.

5100. Administration.

5110. Permits. This By-Law shall be administered by the Building Inspector. Buildings, structures or signs may not be erected, substantially altered, moved, or changed in use and land may not be substantially altered or changed in principal use without certification by the Building Inspector that such action is in compliance with then-applicable zoning, and that all necessary permits have been received under federal, state, or local law. Issuance of a Building Permit or Certificate of Use and Occupancy, where required under the Commonwealth's State Building Code, may serve as such certification.

5120. Enforcement. The Building Inspector shall institute and take any and all such action as may be necessary to enforce full compliance with any and all of the provisions of this By-Law and of permits and variances issued thereunder, including notification of non-compliance and request for legal action through the Selectmen to Town Counsel.

5130. Penalties. The penalty for violation of any provision of this By-Law, of any of the conditions under which a permit is issued, or of any decision rendered by the Board of Appeals shall be One Hundred dollars (\$100.00) for each offense. Each day that each violation continues shall constitute a separate offense.

5200. Board of Appeals.

5210. Establishment. There is hereby established a Board of Appeals which shall consist of five members and three associate members, who shall be appointed and act in all matters under this By-Law in the manner prescribed in M.G.L.A. ch. 40A.

5220. Powers. The Board of Appeals shall have and exercise all the powers granted to it by Chapters 40A, 40B, and 41 of the General Laws and by this By-Law. The Board's powers are as follows:

5221. To hear and decide applications for special permits. Unless otherwise specified herein, the Board of Appeals shall serve as the special permit granting authority, to act in all matters in accordance with the provisions of Section 5300, unless otherwise specified.

5222. To hear and decide appeals or petitions for variances from the terms of this By-Law, with respect to particular land or structures. Such variance shall be granted, pursuant to M.G.L.A. ch. 40A, s. 10, as may be amended, only in cases where the Board of Appeals finds all of the following:

- a) A literal enforcement of the provisions of this By-Law would involve a substantial hardship, financial or otherwise, to the petitioner or applicant.

- b) The hardship is owing to circumstances relating to the soil conditions, shape, or topography of such land or structures, and especially affecting such land or structures but not affecting generally the zoning district in which it is located.
- c) Desirable relief may be granted without either:
 - (1) substantial detriment to the public good; or
 - (2) nullifying or substantially derogating from the intent or purpose of this By-Law.
- d) The Board of Appeals shall not grant use variances in any residential district of the Town.

5223. To Hear and Decide Other Appeals. Other appeals will also be heard and decided by the Board of Appeals when taken by:

- a) any person aggrieved by reason of his inability to obtain a permit or enforcement action from any administrative officer under the provisions of M.G.L.A. ch. 40A; or by
- b) the Regional Planning Agency; or by
- c) any person including any officer or Board of the Town of Leverett, or of any abutting town, if aggrieved by any order or decision of the Building Inspector or other administrative official, in violation of any provision of M.G.L.A. ch. 40A, or this By-Law.

5224. To Issue Comprehensive Permits. Comprehensive Permits for construction may be issued by the Board of Appeals for construction of low or moderate income housing by a public agency or limited dividend or non-profit corporation, upon the Board's determination that such construction would be consistent with local needs, whether or not consistent with local zoning, building, health, or subdivision requirements, as authorized under M.G.L.A. ch. 40B.

5225. To Issue Withheld Building Permits. Building Permits withheld by the Building Inspector acting under M.G.L.A. ch. 41, s. 81Y, as a means of enforcing the subdivision control law, may be issued by the Board of Appeals where the Board finds practical difficulty or unnecessary hardship, and if the circumstances of the case do not require that the building be related to a way shown on the subdivision plan in question.

5226. To hear and decide appeals under the Commonwealth of Massachusetts State Building Code, as provided under Section 126 of that Code.

5230. Public Hearings. The Board of Appeals shall hold public hearings in accordance with the provisions of the

General Laws, with regard to all appeals and petitions brought before it.

5300. Special Permits.

5310. Special Permit Granting Authority. Unless specifically designated otherwise, the Board of Appeals shall act as the Special Permit Granting Authority.

5320. Public Hearings. Special permits shall only be issued following public hearings held within sixty-five (65) days after filing an application with the Special Permit Granting Authority, a copy of which shall forthwith be given to the Town Clerk by the applicant.

5330. Criteria. Special permits shall be granted by the Special Permit Granting Authority, unless otherwise specified herein, only upon its written determination that the proposed use will not have adverse effects on either the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. The determination shall include consideration of each of the following:

5331. Social, economic, or community needs which are served by the proposal;

5332. Traffic flow and safety;

5333. Adequacy of utilities and other public services;

5334. Neighborhood character and social structures;

5335. Impacts on the natural environment;

5336. Potential fiscal impact.

5340. Conditions. Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use as the Special Permit Granting Authority may deem necessary to serve the purposes of this By-Law.

5350. Expiration. Special permits shall lapse 24 months following special permit approval (plus such time required to pursue or await the determination of an appeal referred to in M.G.L.A. ch. 40A, s. 17, from the grant thereof) if a substantial use thereof or construction has not begun, except for good cause.

5400. Amendments. This By-Law may from time to time be changed by amendment, addition, or repeal by the Town Meeting in the manner provided in M.G.L.A. ch. 40A, s.5, and any amendments thereto.

5500. Applicability.

5510. Other Laws. Where the application of this By-Law imposes greater restrictions than those imposed by any other regulations, permits, restrictions, easements, covenants, or

agreements, the provisions of this By-Law shall control.

5520. Conformance. Construction or operations under a Building or Special Permit shall conform to any subsequent amendment of this By-Law unless the use or construction is commenced within a period of six months after the issuance of the permit, and in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

5600. Separability. The invalidity of any section or provision of this By-Law shall not invalidate any other section or provision herein.

ARTICLE VI. DEFINITIONS.

In this By-Law, the following terms shall have the following meaning, unless other meaning is required by the context or is specifically prescribed.

Accessory Apartment shall mean a self-contained dwelling unit consisting of one or more rooms with separate kitchen facilities, at least one bathroom, and not more than two (2) bedrooms, incorporated within a single-family dwelling.

Accessory Building, Structure, or Use shall mean a building or structure not attached to any principal building or structure, or a use customarily incidental to and located on the same lot with the principal building, structure, or use.

Aquifer shall mean a geologic formation composed of sand and gravel that contains significant amounts of potentially recoverable groundwater.

Aquifer Recharge Area shall mean an area on the surface of the ground where infiltration from precipitation or groundwater flow directly recharges aquifers. The boundary of the aquifer recharge area shall be the contact point of the stratified drift deposit and surrounding till or bedrock materials.

Bed and breakfast shall mean non-family accommodations for short periods (not to exceed 2 weeks) with breakfast provided and included in the fee and with the owner residing on the premises.

Building shall mean a structure adapted to permanent or continuous occupancy for assembly, business, professional, education, industrial, institutional, residential, or storage purposes, and the term "building" shall be construed as if followed by the words "or portion thereof".

Building Height shall mean the vertical distance from the mean finish grade of the ground adjoining the building at the street side to the highest point of the ridge.

Building Line shall mean a line indicating the approximate centerline of the proposed principal building, as it shall be actually laid out, extended in a straight line to the length of at least the required frontage in the district.

Building, Principal shall mean the building in which is conducted the principal use of the lot on which said building is located.

Campground shall mean premises used for travel trailers, campers, tenting, or for any temporary overnight facilities of any kind where a fee is charged.

Commercial Outdoor Recreation Area shall mean a drive-in theater, golf course/driving range, bathing beach, sports club, horseback riding stables, boathouse, game preserve, marina, or other commercial recreation carried on in whole or in part outdoors except those activities more specifically designated elsewhere in this by-law.

Dwelling shall mean any building containing one or more dwelling units.

Dwelling Single-Family shall mean a dwelling containing not more than one (1) dwelling unit, except where an accessory apartment has been authorized.

Dwelling, Two-Family shall mean a single building containing two (2) dwelling units, neither of which is an accessory apartment.

Dwelling, Multi-Family shall mean a single building containing three (3) or more dwelling units.

Dwelling Unit shall mean a building or part of a building occupied or suitable for occupancy as a residence and arranged for the use of one or more individuals living as a single housekeeping unit with its own cooking, living, sanitary and sleeping facilities.

Farm Stand shall mean a structure of semi-permanent or temporary type located in a district in which agricultural uses are allowed, from which raw products are offered for sale to the public.

Frontage shall mean the boundary of a lot coinciding with the street line, being an unbroken distance along a way currently maintained by the town, county, or state, or along ways shown on the Definitive Plans of approved subdivisions, through which actual access to the potential building site shall be required (except where a "common driveway" has been allowed per Section 3520, herein), and the street has been determined by the Planning Board to provide adequate access for fire, police, and emergency vehicles. Lot frontage shall be measured continuously along one street line between side lot lines, or, in the case of corner lots, between one side lot line and the mid-point of the corner radius. Lots with interrupted or discontinuous frontage must demonstrate that the required length along the street may be obtained from one (1) continuous frontage section, without any totalling of discontinuous frontage sections.

Grade shall mean the rate of change in elevation on the surface of the land, as measured in feet of vertical change per one hundred (100) feet horizontal, or percent. (One foot vertical change per one hundred feet horizontal

is equal to a one percent (1%) grade.)

Groundwater shall mean all waters found beneath the surface of the ground.

Hazardous Waste shall mean any waste material hazardous to human health or the environment as designated by the United States EPA under 40 CFR Part 261 and the regulations of the Massachusetts Dept. of Environmental Protection pursuant to G.L. c. 21C, both as may be amended.

Hotel or Motel shall mean a building or group of buildings providing accommodations on a transient basis for compensation, not meeting the definition of "Non-family Accommodations". Accommodations having individual kitchen facilities (sink, range, and refrigerator) shall be considered dwelling units.

Impervious Surface shall mean the impermeable or non-porous surface of roads, buildings, or other structures on or above the ground that do not allow precipitation to be absorbed into the underlying soil.

Junkyard shall mean the use of any area of any lot, whether inside or outside a structure, for the storage, salvage, keeping or abandonment of junk, scrap, or discarded materials, or the dismantling, demolition, or abandonment of automobiles or other vehicles or machinery or parts thereof.

Kennel shall mean one pack or collection of dogs on a single premises, whether maintained for breeding, boarding, sale, training, hunting, or other purposes, and including any shop where dogs are on sale, and also including every pack or collection of more than three (3) dogs, three months old or older, owned or kept by a person on a single premises regardless of the purposes for which they are maintained or kept.

Leachable Waste shall mean waste materials, including but not limited to solid waste, septic and other sludge, and pesticide, herbicide, and fertilizer residues and wastes, capable of releasing water-borne or soluble contaminants into the environment by leaching.

Loading Facility shall mean an off-street space, berth, or dock on the same lot as the building it serves, for the temporary parking of vehicles while loading and unloading merchandise and material, and which has access to a street, alley or other appropriate means of ingress and egress.

Lot shall mean a single area of land in one ownership defined by metes and bounds or boundary lines in a recorded deed or on a recorded plan.

Lot, Corner shall mean a lot at the junction of and fronting on two (2) or more intersecting streets.

Lot Line shall mean a line which separates one or more lots

or a lot and a street.

Lot Line, Front shall mean the lines separating a lot from the right-of-way of a street.

Lot, Rear any lot meeting the requirements of Section 2330.

Mobile Home shall mean a structure transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation when connected to the required utilities, but not including recreational vehicles or travel trailers.

Nonconforming Uses or Structures shall mean any structure or use of land lawfully existing at the effective date of this by-law or subsequent amendment which does not conform to one or provisions of the by-law.

Non-family Accommodations shall include boarding houses, bed and breakfast accommodations, lodging houses, guest houses, tourist homes, or similar accommodations not having cooking facilities and not shared as a single housekeeping unit. Accommodations having individual kitchen facilities (sink, range, and refrigerator) shall be considered dwelling units. This shall not include the renting of a single room as an accessory use, as set forth in Section 2246.

Office shall mean a place for the transaction of a professional service or business, not including the sale of articles at retail.

Open Space shall mean ground space other than that occupied by structures, walkways, drives, parking or other surfaces. Required yard setbacks may be included as open space if in conformance with the above specifications.

Overlay District shall mean a zoning district superimposed over an underlying district, superceding, where applicable, the less stringent requirements of the underlying district.

Principal Building, Use, or Structure shall mean any building or structure containing any principal use as indicated in Section 2230, except where such use is a home occupation. Where more than one principal use is conducted on a lot and such uses are in more than one building or structure, each building or structure shall be considered a principal building or structure.

Sawmill shall mean a mill or machine for sawing logs, but shall not include the operation of a sawmill not housed in a permanent structure and used solely for the sawing of logs originating on the premises.

Scenic Road shall mean any road designated by the town as such pursuant to G.L. c. 40, s. 15C.

Setback shall mean the minimum horizontal distance between

the street or front lot line and the building nearest the street or front lot line, such distance measured at a right angle to the street or front lot line.

Sign shall mean any device displaying, or any display of, any letter, word, picture, symbol, or object designed to inform or attract the attention of persons not on the premises on which such device or display is located, including billboards and any other internally or decoratively illuminated building surface other than unobstructed window glass.

Sign Area shall mean the surface area within a single continuous perimeter enclosing all of the display area, but not including structural members not bearing advertising matter unless internally or decoratively lighted. One side only of flat, back to back signs shall be counted.

Street shall mean either (a) a public way or a way which the Town Clerk certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved in accordance with the subdivision control law, or (c) a way in existence when the subdivision control law became effective in the Town, having in the opinion of the Planning Board sufficient width, suitable grades, and adequate construction in relation to the proposed use of land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.

Structure shall mean anything constructed or erected, the use of which requires fixed location on the ground, including swimming pools, satellite dishes, tennis courts, and animal enclosures.

Toxic or Hazardous Material shall mean any substance or mixture of such chemical, physical, or infectious characteristics that it could pose a significant actual or potential hazard to water supplies, or other hazard to human health if it were discharged onto the land, or into the air or waters of the town. Toxic or hazardous materials include but are not limited to: organic chemicals, petroleum products, heavy metals, radioactive or infectious wastes, acids and alkalies, and include such products as pesticides, herbicides, solvents and thinners.

Watershed shall mean the area of land surrounding a water body that naturally or artificially drains into the water body or aquifer.

Yard shall mean an open space on a lot unoccupied and unobstructed by any building or structure, except the following: fences, walls, poles, posts, paving, and other customary yard accessories, ornaments, and furniture; or, in front yards only, eaves, steps, and non-covered porches.

Yard, Front shall mean a yard extending between lot side lines across the lot adjacent to the front lot

line.

Yard, Rear shall mean a yard extending between lot side lines adjacent to the rear of the lot.

Yard, Side shall mean a yard extending along each side line of a lot between front and rear yards.

or what it will do in relation thereto.

Article two, 35 pages.

A true copy attest:

Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

Article three: Voted April 27, 1991 Yes 126; No 33

Complete text:

ARTICLE 3. To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section V.A, V.B, and V.C in their entirety regarding use regulations; by deleting existing Section V.A.4 regarding retail grocery or general stores in Village Residential districts; and by substituting new Section

2200 therefor:

2200. Use Regulations.

2210. General. No structure shall be erected or used or land used except as set forth in Section 2230, "Use Regulation Schedule", or in Section 2240, "Accessory Buildings and Uses", unless exempted by Section 2240, or by statute.

Symbols employed below shall mean the following:

- Y - A permitted use.
- N - An excluded or prohibited use.
- SP - A use authorized under special permit as provided under Section 5300.

2220. Applicability. When an activity might be classified under more than one of the following uses, the more specific classification shall govern; if equally specific, the more restrictive shall govern.

2230. Use Regulation Schedule.

Principal Uses. (For Accessory uses, see Section 2240.)	D	I	S	T	R	I	C	T
	RV		RR		GB		COM	

2231. Residential Uses.

One-family dwelling				
incl. mobile homes	Y	Y	Y	Y
Two-family dwelling	Y	Y	Y	Y
Multi-family dwelling				
(3 or more units)	N	N	N	N
Flexible Development	SP*	SP*	N	N
Non-family accommodations				
(boarding house, etc.)				
with 2 or 3 rooms for let	SP	SP	SP	SP
Bed and Breakfast with				
4 or 5 rooms to let	N	SP	N	N

Recreational occupancy of camping vehicle for not more than 14 consecutive days in any one month period	Y	Y	Y	Y
Trailer or mobile home park or court	N	N	N	N

2232. Extensive Uses.

Agriculture, silviculture, horticulture, floricult- ture or viticulture pursuant to G.L. c. 40A, s. 3	Y	Y	Y	Y
Private commercial campgrounds	N	SP	N	N
Private commercial outdoor recreation area	SP	SP	SP	SP
Commercial earth removal	N	N	SP	SP
Conservation area, public park	Y	Y	Y	Y

2233. Community Service Uses.

Public utility	SP	SP	SP	SP
School				
- Exempted from zoning regulation by G.L. ch. 40A, s.3	Y	Y	Y	Y
- Other educational use, incl. day care	SP	SP	SP	SP
Church, other religious use	Y	Y	Y	Y
Cemeteries	SP	SP	SP	SP
Other non-commercial community service use	SP	SP	SP	SP

2234. Business/Industrial Uses.

Hotel or motel	N	N	SP	SP
Restaurant, including take-out or drive-in service	N	N	SP	SP
Private commercial indoor recreation facility or club	N	N	SP	SP
Junkyard, salvage yard	N	N	N	N
Sawmill (see definition)	N	SP	SP	SP
Gasoline service stations	N	N	SP	SP
Automobile sales and repair	N	N	SP	SP
Sales, service, or storage of trucks, tractors, farm or construction equipment	N	N	SP	SP
Business or professional offices	N	N	SP	SP
Bank	N	N	Y	Y

Retail grocery or general store	SP*	N	Y	Y
Other retail stores and services	N	N	SP	SP
Manufacturing, production, assembly, or processing firm	N	N	N	SP
Research facility	N	N	SP	SP
Bulk storage, warehouse	N	N	N	SP
Sale or storage of feed, fuel, lumber or building supplies	N	N	N	SP
Transportation or private bus terminal	N	N	N	N
Farm stand, seasonal	Y	Y	Y	Y
Kennels	N	SP	SP	SP
Nursing home, funeral home	SP	SP	SP	SP
Ready-mix concrete plant	N	N	N	N

2235. Other Principal Uses.

Having attributes similar to a use permitted (Y or SP) above	SP	SP	SP	SP
Other principal uses	N	N	N	N

* = Special permit to be issued by the Planning Board

2240. Accessory Buildings and Uses. Any use permitted as a principal use is also allowed as an accessory use, as are others customarily accessory and incidental to permitted principal uses.

2241. Home Occupations. A business or profession may be engaged in as an accessory use of a dwelling by a resident of that dwelling, upon issuance of a special permit by the Board of Appeals, if conforming to the following conditions:

- a. The occupation or profession shall be carried on wholly within the principal building or within a building or other structure accessory thereto.
- b. Not more than thirty (30) percent of the combined floor area of the residence and any accessory structures shall be used in the home occupation.
- c. The home occupation shall be accommodated within an existing structure without extension thereof.
- d. Not more than two persons not a member of the household shall be employed on the premises in the home occupation.
- e. Except for a permitted sign, there shall be no exterior display, no exterior storage of materials, and no other exterior indication of the home occupation, or other variation from the residential character of the premises.

f. No disturbance shall be caused as defined in Section 3420.

g. Traffic generated shall not exceed volumes normally expected in a residential neighborhood.

h. Parking generated shall be accommodated off-street, other than in a required front yard, and shall not occupy more than 10% of lot area.

i. Home occupations in an Aquifer Protection District shall not use or store hazardous materials, as defined herein, in quantities greater than 5 gallons or 5 lbs.

2242. Animals. Horses and other animals, including pigs, chickens, and other farm animals, used for non-commercial or non-agricultural purposes, may be stabled (as an accessory use) within the R-R and R-V districts.

2243. Accessory Scientific Uses. Uses, whether or not on the same parcel as activities permitted as a matter of right, which are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit by the Board of Appeals, provided that the Board finds that the proposed use does not substantially derogate from the public good.

2244. One house trailer, mobile home, camping vehicle, or tent may be used as an accessory dwelling on a lot for not more than thirty (30) days in any twelve (12) month period. One house trailer, mobile home, camping trailer, or similar vehicle, not used for dwelling purposes, may be stored out of doors on a lot.

2245. No garage building or accessory building shall be used as a dwelling unit if it is located on a lot with a principal structure serving as a residence.

2246. Rental of a single room in a principal residential structure is permitted as an accessory use.

2247. Dimensional Regulation: Accessory Uses. Accessory structures may not be placed within required yards, except that permitted signs may be located within a required front yard, and a permitted one-story accessory structure may be located within a required rear yard provided that it occupies not more than 25% of the required yard, and provide that it is not located within 10 feet of any property line.

2250. Nonconforming Uses. Any use or structure not conforming with this By-Law may be continued if the use or structure was lawfully existing at the time it became nonconforming, subject to the following:

2251. Alteration, Extension, or Change. As provided in M.G.L.A. ch. 40A, s.6, a nonconforming single or

two-family dwelling may be altered or extended provided that the Building Inspector determines that doing so does not increase the nonconforming nature of said structure. Other pre-existing nonconforming structures or uses may be extended, altered, or changed in use on special permit from the Board of Appeals, in accordance with Section 5300 herein, upon a finding by the Board that such alteration, extension, or change will not be substantially more detrimental to the neighborhood than the existing nonconforming use. Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.

2252. Abandonment. A nonconforming use which has been abandoned, discontinued for a period of two years (five years for agriculture, horticulture, floriculture, silviculture or viticulture), or changed to a conforming use, shall not be reestablished, and any future use of the premises shall conform to this Zoning By-Law.

2253. Restoration. Any legally existing nonconforming building or structure may be reconstructed if destroyed by fire or other accidental or natural cause if such reconstruction is commenced

within twenty-four (24) months from the date of the catastrophe (unless a longer period is granted by special permit by the Board of Appeals). Notwithstanding the above, any structure so restored shall not exceed in volume or area the original non-conforming structure, except that where the original structure was non-conforming by virtue of its relation to the set-back, rear yard, or side yard requirements of this By-Law, any restoration may exceed in volume or area the original non-conforming structure as long as the foundation of the restored structure is not in greater noncompliance, as to set-back, rear yard, or side yard, than the original structure.

2254. Premises may be changed from one category of non-conforming use to another only on special permit from the Board of Appeals. Such special permit shall be granted only for uses no more damaging or inharmonious with the environs than the use being replaced.

2255. Additions and accessory buildings which are associated with existing residences that are non-conforming by reason of being closer to lot boundaries than is permitted by these by-laws may be built as close, but not closer, to the lot boundaries than the existing residence.



TOWN OF LEVERETT

Massachusetts 01054

Article four: Voted April 27, 1991 Yes 102, No 32

Complete text:

ARTICLE 4 . To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section IV.A's "Basic Lot Size" table and the Table of Dimensional Requirements appended to the existing By-Laws and substituting new Section 2340 therefor, as follows:

2340. Dimensional Schedule. (For accessory buildings, see Section 2247).

	D i s t r i c t			
	RV	RR	GB	COM
Minimum lot area (sq. ft.) ^{1,2}	40,000	60,000	40,000	40,000
Minimum lot frontage (ft.) ^{1,3}	200	200	150 ⁴	150 ⁴
Minimum front yard (ft.) ⁵	40	40	40	40
Minimum side yard (ft.) ¹	20	25	25	25
Minimum rear yard (ft.) ¹	30	30	30	30
Maximum building height (ft.) ⁶	35	35	35	35
Maximum lot coverage (%): by buildings	15	10	20	20
by buildings, structures, and impervious surfaces	35	35	50	50
Minimum Open Space (%)	-	-	40	40

¹
Increase by 50% for two-family structures, after accounting for any increase in lot size required by location in an Aquifer Protection District. See Footnotes 2 and 3, below.

²
Increase to 120,000 sq. ft. in Aquifer Protection District.

³
Increase to 300 ft. in Aquifer Protection District for single-family; 450 ft. in Aquifer Protection District for two-family.

⁴
200 ft. for single-family residences (except 300 ft. in Aquifer Protection District), 300 ft. for two-family residences (except 450 ft. in Aquifer Protection District).

⁵
Or aligned with existing buildings on adjacent properties.

⁶
The height provisions of these regulations shall not apply to the erection of churches, belfries, and towers designed exclusively for ornamental purposes, flagstaffs, chimneys, silos, antennae, water tanks, or similar structures.

A true copy attest:

Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

A true copy attest:

Town Clerk

Article five: Voted April 27, 1991 Yes 117, No 6

ARTICLE 5 To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 2400, Accessory Apartments, as follows:

2400. Accessory Apartments.

2410. Purpose. For the purpose of providing small additional dwelling units to rent without adding to the number of buildings in the Town, and for substantially altering the appearance of the Town, and for the purpose of enabling owners of single family dwellings larger than required for their present needs, particularly elderly homeowners, to share space and the burdens of home ownership, the Board of Appeals may grant a special permit in accordance with the following requirements.

2420. Procedure. Accessory apartments may be allowed on special permit, which shall lapse every two years, by the Board of Appeals, in accordance with the special permit process in this Zoning By-Law, as set forth in Section 5300, and provided that each of the following additional criteria are met.

2430. Conditions.

2431. A plot plan, prepared by a Registered Land Surveyor, of the existing dwelling unit and proposed accessory apartment shall be submitted to the Board of Appeals, showing the location of the building on the lot, proposed accessory apartment, location of any septic system and required parking. A mortgage inspection survey, properly adapted by a surveyor, shall be sufficient to meet this requirement;

2432. Any special permit shall be subject to review and approval by the Board of Health as to sanitary wastewater disposal in full conformance with the provisions of 310 CMR 15.00 (Title V of the State Environmental Code). The Board of Health shall also approve water supply and drainage resulting from the proposed accessory apartment as adequate for the proposed construction;

2433. Certification by affidavit shall be provided that one of the two dwelling units shall be occupied by the owner of the property, except for bona fide temporary absence;

2434. Not more than one accessory apartment may be established on a lot. The accessory apartment shall

not exceed 800 sq. ft. in floor space and shall be located in the existing residential structure on the premises;

2435. The external appearance of the structure in which the accessory apartment is to be located shall not be significantly altered from the appearance of a single-family structure, in accordance with the following:

a. Any accessory apartment construction shall not create more than a 15% increase in the gross floor space of the structure existing as of April 27, 1991.

b. Any stairways or access and egress alterations serving the accessory apartment shall be enclosed, screened, or located so that visibility from public ways is minimized;

c. Sufficient and appropriate space for at least one (1) additional parking space shall be constructed by the owner to serve the accessory apartment. Said parking space shall be constructed of materials consistent with the existing driveway and shall have vehicular access to the driveway.

2440. Conditions for Issuance and Renewal of Special Permits. The initial term and subsequent terms of a special permit for an accessory apartment shall expire after two years. Subsequent special permit issuances for existing accessory apartments shall be granted after certification by affidavit is made by the applicant to the Board of Appeals that the accessory apartment has not been extended, enlarged, or altered to increase its original dimensions, as defined in the initial special permit application.

2450. Decision. Special permits for an accessory apartment may be issued by the Board of Appeals upon a finding that the construction and occupancy of the apartment will not be detrimental to the neighborhood in which the lot is located and after consideration of the factors specified in Section 5300 of this Zoning By-Law, governing special permits.



TOWN OF LEVERETT
Massachusetts 01054

Article six: voted April 27, 1991 Yes 82, No 28

Complete text:

ARTICLE 6 To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section VI.B regarding driveways and substituting new Section 3500 therefor;

3500. Driveway Regulations.

3510. General. For the purpose of promoting the safety of the residents of the Town, an application for a building permit for a residential structure shall include a plan, at a scale of 1" = 100 ft., showing the driveway serving the premises, and showing existing and proposed topography at 10 ft. or 3 meter contour intervals. All driveways shall be constructed in a manner ensuring reasonable and safe access from the public way serving the premises to within a distance 100 feet or less from the building site of the residential structure on the premises, for all vehicles, including, but not limited to, emergency, fire, and police vehicles. The Building Inspector shall not issue a building permit for the principal structure on the premises unless all of the following conditions have been met:

3511. Except in access strips of less than fifty (50) feet width to rear lots, no driveway shall be located within ten (10) feet of any side or rear lot line without written approval by the appropriate abutter(s), or by special permit by the Board of Appeals after a determination that said driveway will provide safe and reasonable access for all vehicles (without applying Section 5330 to said application).

3512. The distance of any driveway measured from the street line to the point where the principal building is proposed shall not exceed a distance of five hundred (500) feet, unless the Board of Appeals shall grant a special permit after a determination that said driveway will provide safe and reasonable access for all vehicles (without applying Section 5330 to said application).

3513. The grade of each driveway where it intersects with the public way shall not exceed eight percent (8%) for a distance of 20 feet from the travel surface of the public way unless the Board of Appeals shall grant a special permit after a determination that said driveway will provide safe and reasonable access for all vehicles (without applying Section 5330 to said application).

3514. Driveways serving the premises shall provide

access through the required frontage of the serviced lot, except in the case of a "common driveway" under Section 3520, herein.

3520. Common driveways serving not more than two (2) lots may be allowed on special permit by the Board of Appeals, after consideration of the criteria set forth in Section 5330, herein; provided both lots meet the standards for "frontage" as set forth in Article VI.. A common driveway must satisfy all of the conditions in Sections 3511-3513, as well as all of the following conditions:

3521. The centerline intersection with the street centerline shall not be less than 54 degrees;

3522. A minimum width of 12 feet shall be maintained over its entire length;

3523. A roadway surface of a minimum of 4 inches of graded gravel, placed over a properly prepared base, graded and compacted to drain from the crown shall be installed;

3524. The driveway shall be located entirely within the boundaries of the lots being served by the driveway;

3525. Proposed documents shall be submitted to the Board of Appeals demonstrating that, through easements, restrictive covenants, or other appropriate legal devices, the maintenance, repair, snow removal, and liability for the common driveway shall remain perpetually the responsibility of the private parties, or their successors-in-interest.

A true copy attest:

Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

Article seven, voted April 27, 1991

Yes 105, No 15

Complete text:

ARTICLE 7: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Sections IV.D and V.D and substituting the following regarding stream and lake protection therefor:

4500. Stream and Lake Protection District.

4510. Purpose. This overlay district is established to ensure that lands near flowing streams and standing open water bodies shall not be used in such a manner as to endanger the health or safety of Leverett residents.

4520. Applicability. The following areas shall be included in the Stream and Lake Protection District:

4521. Land lying within a horizontal distance of one hundred (100) feet on each side of the bank and/or edge of each and every "Major Stream" in the Town of Leverett, as shown on the "Stream and Lake Protection District Map, Town of Leverett, 1990", hereby appended to and made a part of this by-law.

4522. Land lying within a horizontal distance of fifty (50) feet on each side of the bank and/or edge of each and every "Minor Stream" in the Town of Leverett, as shown on the "Stream and Lake Protection District Map, Town of Leverett, 1990", hereby appended to and made a part of this by-law.

4523. All land that lies within a horizontal distance of one hundred (100) feet from the normal highwater line of all standing open bodies of water shown on the "Stream and Lake Protection District Map, Town of Leverett, 1990", hereby appended to and made a part of this by-law.

4530. Restrictions. The Stream and Lake Protection District shall be considered an overlay district. Land lying within a Stream and Lake Protection District may be used for any purpose otherwise permitted in the underlying zoning district, with the following exceptions:

4531. No septic tank or septic tank leach field or other component of an individual wastewater disposal system shall be constructed within the district;

4532. No dumping, filling, dredging, excavation, transfer or removal of any material which will alter the natural flood water storage capacity of the land, interfere with the natural flow of the water over the land, or increase stream bank erosion shall be permitted except by a written order of conditions from the Leverett Conservation Commission;

4533. No building or structure shall be erected in this district without the issuance of a special permit from the Board of Appeals.

4540. Special Permits. The Board of Appeals may grant a special permit for a building or structure provided that all of the following conditions have been satisfied. Section 5330 shall not be applicable to such special permit applications.

4541. The building or structure is not intended for and shall not be used for human residence;

4542. The construction of the building or structure will not:

a. substantially interfere with the natural flow of water off of the premises; and,

b. constitute a danger to the public safety or health.

A true copy attest:

Town Clerk



TOWN OF LEVERETT Massachusetts 01054

A true copy attest:

Town Clerk

Article eight: Voted April 27, 1991 Yes 104, No 10

Complete text:

ARTICLE 8. To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4800 regarding flexible development, as follows:

4800. Flexible Development.

4810. Purpose. The purpose of this Section 4800, Flexible Development, is to encourage the preservation of open land for its scenic beauty and to enhance agricultural, open space, forestry, and recreational use; to preserve historical and archeological resources; to protect the natural environment; to protect the value of real property; to promote more sensitive siting of buildings and better overall site planning; to perpetuate the appearance of Leverett's traditional New England landscape; to allow landowners a reasonable return on their investment; to facilitate the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner; and to promote the development of housing affordable to low and moderate income families.

4820. Applicability. Any creation of seven (7) or more lots, whether a subdivision or not, from a parcel or set of contiguous parcels held in common ownership, may proceed under this Section 4800, Flexible Development, pursuant to the issuance of a special permit, as indicated in Section 2330, the Use Regulation Schedule. Such Special Permits shall be acted upon in accordance with the following provisions. In addition, smaller developments may, at the owner's option, be considered as if a Flexible Development, and employ the following provisions, but shall not be eligible for density bonus units as set forth in Section 4852.

4830. Procedures. Applicants for Flexible Development shall file with the Planning Board six (6) copies of the following. The required submittals shall be in addition to any other requirements of the Subdivision Control Law or any other provisions of this Zoning By-Law.

4831. A Development Plan conforming to the requirements for a preliminary subdivision plan under the Subdivision Regulations of the Planning Board. Such plan shall also indicate proposed topography, wetlands, and, unless the development is to be sewer, the results of deep soil test pits and percolation tests at the rate of one per every two acres, but in no case fewer than two per Flexible Development. Where wetland delineation is in doubt or dispute, the Planning Board may require the applicant

to submit a request for determination of wetlands to the Conservation Commission. The Planning Board shall refer data on wastewater disposal to the Board of Health for their review and recommendation.

4832. An Environmental Analysis, if required by the Subdivision Regulations.

4833. Any additional information required by the Planning Board to make the determinations and assessments cited in Sections 4840 and 4850, below.

4840. Modification of Lot Requirements. The Planning Board may authorize modification of lot size, shape, and other bulk requirements for lots within a Flexible Development, subject to the following limitations:

4841. Lots having reduced area or frontage shall not have frontage on a street other than a street created by a subdivision involved.

4842. Each lot shall contain not less than one-half of the area required in the district in which the lot is located, and have frontage of not less than 100 feet. Each lot shall have at least 50% of the required yards in the district in which it is located, and may exceed lot coverage requirements by 50%.

4843. Any proposed open land, unless conveyed to the Town or its Conservation Commission, shall be covered by a recorded restriction enforceable by the Town, providing that such land shall be kept in an open state, or that it shall be preserved for exclusively agricultural purposes. Any such land proposed as open land shall be served by suitable access for purposes of recreational use, forest management, or agricultural cultivation.

4850. Number of Dwelling Units.

4851. The Basic Maximum number of dwelling units allowed shall be limited to the number of single family dwelling units that could be constructed in an orthodox subdivision on the site in full conformance with all zoning, subdivision, and other applicable state and local regulations, and without the proposal of extraordinary engineering measures. Where the Basic Maximum Number is in doubt or dispute, the determination of the Planning Board (and its consulting engineer) shall be conclusive for all purposes.

4852. The Planning Board may approve a Flexible

Development containing more than the Basic Maximum number of dwelling units, upon the condition that any increase shall be limited by the following:

application unless it is deemed that the Flexible Development better promotes the objectives of Section 4810, herein, than would orthodox development.

a) One additional dwelling unit or lot may be added for each dwelling unit that is made available for a minimum of twenty (20) years via sale, lease, or deed restrictions to persons or families qualifying as low or moderate income as defined by the Executive Office of Communities & Development of the Commonwealth.

b) The total number of additional units to be constructed under sections 4851 and 4852, above, shall not exceed 15% of the Basic Maximum number of dwelling units. Where a fraction of a dwelling unit results in the computation, any fraction larger than 0.5 dwelling unit shall be rounded to the higher figure.

c) No bonus development units shall be allowed in an Aquifer Protection District.

4860. Design of Development.

4861. Departure from the visual scale of single-family development shall be minimized through including not more than 2 dwelling units in a single structure.

4862. Parking areas shall not be located within a required front yard or within ten feet of a lot line. Parking areas shall be screened from public ways by building location, grading, fencing, or plantings. No individual parking area shall contain more than 10 spaces.

4863. No building shall be floodlit. Drives and parking areas shall be illuminated only by shielded lights not higher than 15 feet.

4864. A minimum of 30% of the parcel shown on the Development Plan shall be contiguous open space, excluding required yards. Such open space may be separated by the road(s) constructed within the Flexible Development.

4870. Decision. The Planning Board may approve, approve with conditions, or deny an application for a Flexible Development in accordance with Section 5300 of the Zoning By-Law (governing special permits), and shall deny the



TOWN OF LEVERETT
Massachusetts 01054

Article twenty-four: Voted April 27, 1991

Article passed on a voice vote majority.

Complete text:

Chapter 3-1

Members of town boards to be elected for three-year overlapping terms of office shall be three (3) members of a Board of Selectmen, five (5) members of a Finance Committee, five (5) members of a Board of Health, three (3) members of a Board of Assessors, six (6) members of a Board of Library Trustees and nine (9) members of a Goals Committee; and seven (7) members of a Planning Board shall be elected for five-year overlapping terms.

(MGL 78:10 was consulted, library trustees number must be divisible by three.)

A true copy attest:

Town Clerk



TOWN OF LEVERETT

Massachusetts 01054

Article twenty-eight: Voted April 27, 1991

Article passed unanimously.

Complete text:

§5-1 Powers, duties; intent.

All executive powers of the town, except as otherwise provided in this Code, shall be vested in the Board of Selectmen. It is the intent of this chapter that the Board shall exercise a leadership role in town affairs, establish rules and regulation to be carried out by officers and departments under its jurisdiction and recommend major courses of action to the Town Meeting. The Board of Selectmen shall have the authority to enter into contracts for the provision of goods and services for all areas of town government over which they have jurisdiction.

A true copy attest:

Town Clerk

Date TM Convened: April 27, 1991TOWN MEETING CERTIFICATION1. Quorum

According to town charter or by-law, the quorum requirement for town meeting is 5% of registered voters. (Write "0" if town has no quorum requirement.) I hereby certify that a quorum was present at the town meeting, including any adjourned sessions thereof.

Attest: D Ann Marie Kelly Date: June 17, 1991
Town Clerk

2. Service of the warrant

I hereby certify that:

- (a) the service of the town meeting warrant was in accordance with (1) town by-law or (2) a previous vote of the town or (3) a procedure previously accepted by the Attorney General;
- (b) notice of any adjournments of the town meeting was made in accordance with town by-law or previous town meeting vote.

Attest: D Ann Marie Kelly Date: June 17, 1991

3. Attachments

- (a) the complete warrant is attached and it includes the opening of the warrant, the closing of the warrant, and the officer's return of service.
- (b) One certified copy of any amendments made on the floor of the town meeting before the final vote under each of the articles to be acted upon is stapled to this page, showing the following:
 - 1. the number of the warrant article to which the amendment(s) referred;
 - 2. the full text of the amendment(s);
 - 3. the vote taken on the amendment(s) at the town meeting (e.g., "a majority", "unanimous", or the actual vote count).

LEVERETT ANNUAL TOWN MEETING WARRANT
APRIL 27, 1991

Franklin, SS.
To one of the Constables of Leverett
GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the inhabitants of Leverett, qualified to vote in the Town affairs, to meet in the Elementary School Auditorium at said Leverett, on Saturday, the 27th day of April next, at 9:30 in the forenoon (9:30 a.m.), then and there to act on the following articles, namely:

Article One: To choose all necessary town officers to serve for periods prescribed by law or town by-laws.

Article Two: To see if the Town will vote to amend the Leverett Zoning By-Laws by rewording the "Purpose Clause" and renumbering said provision as new Article I; by deleting existing Section II.A regarding grandfathered uses and substituting new Section ~~2250~~ ²²⁵⁰ therefore; by deleting existing Section II.B.1 regarding continuation of nonconforming uses and substituting new Section ~~2252~~ ²²⁵² therefore; by deleting existing Sections II.B.2, II.B.3, II.B.4, and II.B.5 regarding alteration of nonconforming uses and substituting new Sections 2251, 2253, 2254 and 2255 therefore; by deleting existing Sections IV.A (first three lines of text only), IV.B, and IV.C regarding establishment of zoning districts and substituting new Section ~~2100~~ ²¹⁰⁰ therefore; by adding a new Section ~~2240~~ ²²⁴⁰ and a new Section ~~2220~~ ²²²⁰ regarding construction of single or multiple structures on lots in the town; by rewording existing Section VI.F regarding rear lots, deleting the definition of "building line" therein, and renumbering said section as new Section ~~2330~~ ²³³⁰; by deleting existing Section VI.A and VI.E regarding accessory buildings and substituting new Sections ~~2240~~ ²²⁴⁰, ~~2241~~ ²²⁴¹, ~~2245~~ ²²⁴⁵, ~~2246~~ ²²⁴⁶ and ~~2247~~ ²²⁴⁷ therefore; by adding a new section ~~2242~~ ²²⁴² regarding accessory scientific uses; by adding a new section ~~2242~~ ²²⁴² regarding the keeping of animals (excepting agriculture); by deleting existing Section V.A.1-g regarding home occupations and substituting new Section ~~2241~~ ²²⁴¹ therefore; by deleting existing Section VI.C regarding area of lots; by deleting existing Section VI.J.1 and VI.J.2 regarding prohibited uses; by deleting existing Section VI.H regarding parking and substituting new Section 3100 therefore; by deleting existing Section II.C regarding corner clearance and substituting new Section 3200 therefore; by deleting existing Section VI.I regarding signs and substituting new Section 3300 therefore; by deleting existing Section VI.N regarding erosion control and substituting new Section 3410 therefore; by adding new Sections 3420 and 3430 regarding disturbances and landscaping, respectively; by deleting existing Section VI.G regarding unregistered motor vehicles and substituting new Section 3600 therefore; by deleting existing Sections VI.J.3 and VI.J.4 regarding billboards and lighting; by deleting existing Section VI.K regarding rate of development and by substituting new Section 3700 therefore, which includes a five-year extension; by deleting existing Section VI.L regarding subdivision phasing and substituting new Section 3800 therefore; by deleting existing Section VI.M regarding site plan review and substituting new

earth removal and substituting new Section ~~4200~~ ⁴²⁰⁰ therefore; by deleting existing Section V.A.3 regarding campers and campgrounds and substituting new Section ~~4400~~ ⁴⁴⁰⁰ therefore; by deleting existing Sections IV.F and V.F. regarding aquifer protection districts and substituting new Section ~~4400~~ ⁴⁴⁰⁰ therefore; by deleting existing Sections IV.E and V.E regarding flood hazard districts and substituting new Section ~~4400~~ ⁴⁴⁰⁰ therefore; by adding a new Section ~~4600~~ ⁴⁶⁰⁰ regarding scenic roads protection; by deleting existing Sections VII, VIII, IX, X and XI regarding, respectively, enforcement, penalty, zoning board of appeals, other regulations, and validity, and substituting new Article V (Administration) therefore; and by deleting existing Section III in its entirety, regarding definitions, by deleting the definition of "non-conforming use" in existing Section II.B, and by substituting new Article VI (Definitions) therefore; so that Articles I, II, III, IV, V, and VI, of the Leverett Zoning By-Laws shall appear as on file with the Town Clerk. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Three: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section V.A, V.B, and V.C in their entirety regarding use regulations and by deleting existing Section V.A.4 regarding retail grocery or general stores in Village Residential districts and by substituting new Section 2200 therefore, which provides a schedule of principal use regulations. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Four: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section IV.A's "Basic Lot Size" table and the Table of Dimensional Requirements appended to the existing By-Laws and substituting new Section 2340 therefore, which provides a table of dimensional requirements. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Five: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 2400, Accessory Apartments. An Accessory Apartment is a small dwelling unit (not to exceed 800 sq. ft.) within a single-family residence. The by-law is intended to allow the creation of such units to promote affordable housing alternatives, particularly for elderly Leverett residents. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Six: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section VI.B regarding driveways and substituting new Section 3500, which is substantially a rewording and renumbering of same. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Seven: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Sections IV.D and V.D regarding the stream and lake protection district and substituting new Section 4500 therefore. The revised by-law restricts the use of land within certain distances of water bodies in Leverett. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Eight: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4800 regarding flexible development. Flexible Development is intended to allow residential construction on larger parcels of land without strict adherence to the bulk requirements of the zoning by-law, as long as the development first obtains a special permit from the Planning Board, leaves at least 30% of the parcel as usable open space, and observes strict design guidelines. Nothing in this article is intended to eliminate the statutory right to develop land through the Subdivision Control Law. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Nine: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4700 regarding upper elevation site plan review. The proposed by-law would affect only construction in excess of 50 feet (vertical) above an abutting public way. The complete text of this article is on file with the Town Clerk and is incorporated herein by reference.

Article Ten: To see if the town will vote to authorize the Town Treasurer, with the approval of the Selectboard, to borrow money from time to time in anticipation of the revenue for the financial year beginning July 1, 1991, in accordance with the provisions of the MGL Chapter 44, Section 4, and to issue a note or notes therefore, payable within one year, and to renew any notes that may be given for a period of less than one year in accordance with MGL Chapter 44 Section 17.

Article Eleven: To see if the town will vote to raise and appropriate such sums of money as shall be necessary to meet town expenses.

Article Twelve: To see if the Town will vote to appropriate ONE HUNDRED AND NINETY-TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$192,500) for capital costs associated with purchasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; to determine whether these appropriations shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: Selectboard
School Committee

Article Thirteen: To see if the Town will vote to raise and appropriate ONE HUNDRED AND NINETY TWO THOUSAND AND FIVE HUNDRED DOLLARS (\$192,500) for capital costs associated with purchasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; or to take any other action relative thereto.

Sponsor: School Committee

Article Fourteen: To see if the Town will vote to appropriate NINETY-NINE THOUSAND DOLLARS (\$99,000) for capital costs associated with leasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; to determine whether these appropriations shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: School committee

Article Fifteen: To see if the Town will vote to raise and appropriate or to otherwise provide FORTY THOUSAND DOLLARS (\$40,000) for the costs of one year's rental of a two-classroom portable building for the Leverett Elementary School; or to take any other action relative thereto.

Sponsor: School Committee

Article Sixteen: To see if the Town will vote to raise and appropriate ONE HUNDRED AND THIRTY-NINE THOUSAND DOLLARS (\$139,000) for capital costs and the cost of one year's rental associated with leasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School; or to take any other action relative thereto.

Sponsor: School committee

Article Seventeen: To see if the town will vote to appropriate THIRTY FIVE THOUSAND DOLLARS (\$35,000) to remove and replace the fuel oil tank at the Leverett Elementary School; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: Selectboard
School Committee

Article Eighteen: To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of TWO THOUSAND AND EIGHT HUNDRED DOLLARS (\$2,800) to paint the Bradford M. Field Memorial Library.

Sponsor: Library trustees

Article Nineteen: To see if the town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) for clay, loam and other materials and equipment rental in order to close and cap the landfill.

Sponsor: Selectboard

Article Twenty: To see if the town will vote to transfer the sum of FIFTY THOUSAND DOLLARS (\$50,000) from free cash to the Reserve Account.

Sponsor: Selectboard

Article Twenty-one: To see if the town will vote to raise and appropriate, transfer from available funds, expend from stabilization, borrow or otherwise provide the sum of SIX THOUSAND DOLLARS (\$6,000) to repair the bridge on Coke Kiln Road over the Saw Mill River.

Sponsor: Selectboard

Article Twenty-two: To see if the Town will vote to accept the provisions of Chapter 291 of the Acts of 1990, thereby allowing the Town to receive Enhanced 9-1-1 service as defined in said Act and, if acceptance and notification to the Secretary of the Commonwealth of said acceptance occur on or before December 11, 1991, the Town will also receive, at no cost to it, the benefits of Enhanced 9-1-1 network features and components and other Enhanced 9-1-1 network features that may be made available by the Statewide Emergency Telecommunications Board.

Sponsor: Police and Fire
Selectboard

Article Twenty-three: To see if the town will vote to accept the renumbering of various bylaws approved by the Town Meeting from their original numbering to the numbering, codification, arrangement, sequence and captions as set forth in the Code of Leverett, dated 1988, and published by General Code Publishers of Rochester, New York; said codification having been done under the direction of the Board of Selectmen, Town Counsel and Town Clerk and said code being a compilation of the present bylaws of the town and having no substantive changes or deletions in the text thereof. The Zoning bylaws will not be included in this Code.

Sponsor: Selectboard and Town Clerk

Article Twenty-four: To see if the town will vote to amend Chapter 3 Section 1 of the Code of Leverett to increase the number of Bradford M. Field Memorial Library Trustees from 5 to 6. The complete text of this proposed bylaw change is on file with the Town Clerk and incorporated by reference herein.

Sponsor: Library Trustees

Article Twenty-five: To see if the town will vote to adopt a Personnel Bylaw pursuant to the authority of MGL Chapter 41, Section 108A. A complete text of this proposed amendment to the Code of Leverett is on file with the Town Clerk.

Sponsor: AD HOC Personnel Committee

Article Twenty-six: To see if the town will vote to raise and appropriate, transfer from available funds or otherwise provide the sum of ONE THOUSAND FIVE HUNDRED AND FORTY DOLLARS (\$1,540) to update the Code of Leverett, as published in 1988 by General Code Publishers, in order to remove the zoning bylaws and make necessary additions and corrections to the text.

Sponsor: Selectboard and Town Clerk

Article Twenty-seven: To see if the Town will vote that effective July 1, 1991 all fees collected by the Town Clerk be paid into the Town General Revenue Account and not be retained by the Town Clerk.

Article Twenty-eight: To see if the Town will vote to amend Chapter 5 Section 1 of the Leverett Code entitled "Selectmen: powers, duties, intent" by adding the sentence: "The Board of Selectmen shall have the authority to enter into contracts for the provision of goods and services for all areas of town government over which they have jurisdiction." The complete text of this proposed amendment is on file with the Town Clerk and is incorporated by reference herein.

Article Twenty-nine: To see if the Town will vote to take from available funds the sum of FIFTEEN THOUSAND DOLLARS (\$15,000) to reduce the tax rate for Fiscal Year 1992.

Sponsor: Selectboard

And you are directed to serve this Warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, seven days at least before the day of said meeting.

Given under our hands this first day of April, A.D., 1991.

SELECTBOARD OF LEVERETT

FENNA LEE BONSIGNORE

A true copy I attest:

DONALD L. GIBAVIC

Town Clerk

ALICE J. RARIG

I have served this Warrant as directed therein.

Date: _____ Constable: _____

CODE	DEPARTMENTS	FY 1991	FY 1992	CODE	DEPARTMENTS	FY 1991	FY 1992
113	TOWN MEETING SALARIES: EXPENSES: * TOTAL *	200 200 150 350	200 245 445	135	AUDIT * TOTAL *	2,700	2,700
114	MODERATOR * TOTAL *	50	50	141	ASSESSORS SALARIES: CHAIR 2 MEMBERS - CLERK EXPENSES: LEDGERS/FORMS DEEDS/COPIES DUES/MISC. MAPS * TOTAL *	1,050 3,000 4,050 360 850 100 500 1,910 5,860	998 2,850 3,348 150 300 100 400 950 4,798
122	SELECTMEN SALARIES: CHAIR 2 MEMBERS CLERK EXPENSES: TELEPHONE SUPPLIES/DUES/MISC BIDS/ADS POSTAGE TRAVEL/CONFERENCE * TOTAL *	1,050 2,000 5,495 9,535 350 1,750 200 325 183 100 2,725 12,250	1,050 2,000 7,427 10,475 275 1,500 200 183 100 2,260 12,735	142	REVAL/Maintenance SALARY: * TOTAL *	8,000 8,000	8,000 8,000
124	ADMINISTRATIVE ASSISTANT SALARY: EXPENSES: * TOTAL *	0 0 14,107	16,520 3,598 20,118	145	TREASURER/ACCOUNTING OFFICER SALARY: EXPENSES: PAYROLL/BOND/POSTAGE CONF/TRAVEL/TELEPHONE/MISC * TOTAL *	7,740 2,605 660 3,265 11,005	7,938 2,875 725 3,600 11,538
131	FINANCE COMMITTEE DUES * TOTAL *	95	95	146	COLLECTOR SALARY: EXPENSES: POSTAGE/BOND/TAX BILLS TELEPHONE/SUPPLIES/DUES * TOTAL *	6,552 1,632 380 2,012 8,564	6,720 1,582 450 2,032 8,752
132	CAPITAL PLANNING COMMITTEE * TOTAL *	200	100				

CODE DEPARTMENTS FY 1991 FY 1992

151 TOWN COUNSEL

* TOTAL * 2,000 7,500

161 TOWN CLERK

SALARY:

Sub Total

4,716

6,050

EXPENSES:

SUPPLIES/FORMS/DUES

190

180

BOND

50

50

POSTAGE

150

75

TRAVEL/CONFERENCE

275

300

CENSUS:

DATA COLLECTION

524

550

ENTRY & DUPLICATION

400

415

POSTAGE

150

100

* TOTAL *

1,074

1,065

176 ZONING BOARD OF APPEALS

* TOTAL *

6,445

7,720

162 ELECTIONS

SALARIES:

POLICE WORKERS

1,550

200

POLICE

300

40

EXPENSES:

Sub Total

1,850

240

* TOTAL *

200

100

192 PUBLIC BUILDING & PROPERTY MAINT.

WAGES/TOWN HALL JANITOR:

Sub Total

2,100

2,205

EXPENSES:

MAINTENANCE

1,750

1,750

ELECTRICITY

3,675

3,675

FUEL OIL

3,000

3,000

GAS

90

0

* TOTAL *

8,515

8,425

193 BUILDING INSURANCE

GENERAL:

Sub Total

10,615

10,630

BOILER:

Sub Total

4,300

6,260

* TOTAL *

739

847

171 CONSERVATION COMMISSION

SALARY/SECRETARY:

Sub Total

500

525

EXPENSES:

MEMBERSHIPS

150

150

CODE DEPARTMENTS FY 1991 FY 1992

171 CONSERVATION COMMISSION (Continued)

MORNING

TAPES/FILE/POSTAGE

LEGAL NOTICES

PRINTING

Sub Total

125

125

* TOTAL *

300

300

300

0

0

875

875

875

1,375

1,375

1,400

175 PLANNING BOARD

CONSULTING:

SUPPLIES/ADVERTISING/DUES:

Sub Total

1,250

1,250

* TOTAL *

100

100

1,350

1,350

1,350

176 ZONING BOARD OF APPEALS

* TOTAL *

125

125

192 PUBLIC BUILDING & PROPERTY MAINT.

WAGES/TOWN HALL JANITOR:

Sub Total

2,100

2,205

EXPENSES:

MAINTENANCE

1,750

1,750

ELECTRICITY

3,675

3,675

FUEL OIL

3,000

3,000

GAS

90

0

* TOTAL *

8,515

8,425

193 BUILDING INSURANCE

GENERAL:

Sub Total

10,615

10,630

BOILER:

Sub Total

4,300

6,260

* TOTAL *

739

847

CODE	DEPARTMENTS	FY 1991	FY 1992	CODE	DEPARTMENTS	FY 1991	FY 1992
194	AUTO COLLISION/COMPREHENSIVE			220	FIRE DEPARTMENT (Continued)		
	* TOTAL *	3,850	2,322		TRAINING	0	500
195	TOWN REPORTS				RADIO MAINTENANCE	1,000	1,000
	* TOTAL *	1,750	1,750		EQUIPMENT MAINTENANCE	2,500	2,500
200	NEWSLETTER				GAS/OIL/TIRES	850	850
	* TOTAL *	975	1,120		MUTUAL AID	120	120
210	POLICE				BRUSH FIRES	650	650
	WAGES:				POSTAGE	30	30
	CHIEF	5,500	5,775		CAPITAL	2,500	2,500
	CLERK	975	1,025		DISPATCH	600	600
	REGULAR HOURS	19,500	21,000		ELECTRICITY	300	300
	COURT HOURS	0	2,500		FUEL OIL	300	300
	TRAINING	1,500	1,890		FIREMENS LIABILITY	1,000	1,100
	SUB TOTAL	24,475	32,190		FIREMENS WORKERS COMP	10,395	11,549
	POLICE EXPENSES:				* TOTAL *	18,845	20,334
	VEHICLES	5,000	6,140				
	TRAINING	1,000	1,000	231	AMBULANCE		
	RADIO/RADAR	1,250	1,250		* TOTAL *	4,603	8,829
	DUES	150	150				
	UNIFORMS	500	750	241	BUILDING/PLUMBING/ELECTRIC INSPTR. PROG.		
	SUPPLIES	1,500	1,500		* TOTAL *	15,992	13,358
	TELEPHONE	1,000	1,600				
	DISPATCH	5,000	5,650	249	ANIMAL INSPECTOR		
	POLICE LIABILITY	2,800	3,042		* TOTAL *	100	100
	POLICE WORKERS COMP	930	518				
	SUB TOTAL	19,130	21,600	291	CIVIL DEFENSE/EMRGY PLANNING		
	* TOTAL *	46,605	53,790		* TOTAL *	25	25
220	FIRE DEPARTMENT			292	DOG OFFICER		
	WAGES:				SALARY:		
	CHIEF	2,000	2,100		EXPENSES:	650	650
	FOREST FIRE WARDEN	50	50		SUB TOTAL		
	DEPUTY CHIEF	200	210		SUB TOTAL	90	90
	2 CAPTAINS	200	210		* TOTAL *	740	740
	RESPONSE PAY	6,000	6,215				
	FIRE EXPENSES:						
	SUB TOTAL	3,450	8,785				

CODE	DEPARTMENTS	FY 1991	FY 1992
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299	TREE WARDEN		
=====			
* TOTAL *		1,500	1,500

300	SCHOOLS		
=====			
SCHOOL COMMITTEE:		250	250
ELEMENTARY SCHOOL:			
Sub Total		597,976	687,672
REGIONAL SCHOOL:			
Sub Total		488,302	556,689
=====			
* TOTAL *		1,086,528	1,244,611

439	LANEFILL		
=====			
SALARY/DUMP CUSTODIAN:		1,902	1,997
EXPENSES:			
DUMP STICKERS		275	475
DUMP INSPECTIONS		2,125	5,000
RECYCLING		2,400	4,800
DAILY COVER		13,000	13,000
BULL DOZER RENTAL		1,200	1,200
TIRE REPAIR		420	420
MAINTENANCE		0	1,000
REFUSE DISTRICT		0	25
=====			
Sub Total		19,120	25,920
=====			
* TOTAL *		21,322	27,917

422	HIGHWAY DEPT.		
=====			
WAGES:		0	0
SUPERINTENDENT		49,169	51,618
FULL TIME		0	0
OVERTIME		8,009	8,000
PARTTIME		57,160	59,618
=====			
Sub Total		114,278	119,236
=====			
HIGHWAY EXPENSES:			
EQUIPMENT RENTAL		3,500	4,500
PARTS/TOOLS		7,275	7,275
REPAIRS		940	940
TIRES/BATTERIES		1,600	1,600
GAS/OIL		11,860	12,260
LUMBER/FENCE/PAINT		1,100	1,100
PIPES/CULVERTS		3,000	3,000
ASPHALT/BLACKTOP		14,470	14,470
STONE/SAND/GRAVEL		11,350	11,350
SUPPLIES/TELEPHONE		550	550
CAPITAL		550	550
=====			
Sub Total		55,645	57,595
=====			
* TOTAL *		113,355	117,213

491	CEMETARIES EXPENSES		
=====			
* TOTAL *		1,000	1,125

510	BOARD OF HEALTH		
=====			
SALARIES:		400	400
CHAIR		800	800
MEMBERS		1,200	1,200
=====			
Sub Total		2,400	2,400
=====			
EXPENSES:			
POSTAGE		75	75
DUES		50	50
PUBLISH DOCUMENTS		400	400
OFFICE SUPPLIES		100	100
HAZARDOUS WASTE		500	500
WATER TESTING		400	400
VISITING NURSE		0	0
SUPPLIES		350	350
=====			
Sub Total		1,950	625
=====			
* TOTAL *		3,150	1,825

423	SNOW/ICE CONTROL		
=====			
WAGES:		8,136	8,136
SALT/SAND:		12,000	12,500
=====			
Sub Total		20,136	20,636
=====			
* TOTAL *		20,136	20,636

CODE DEPARTMENTS FY 1991 FY 1992

PAGE 9

Town of Leverett

FY 1991 DEPARTMENT BUDGET SUMMARY

04-03-1991

CODE DEPARTMENTS FY 1991 FY 1992

519 HEALTH AGENT
* TOTAL * 6,108 6,405

541 COUNCIL ON AGING
* TOTAL * 250 340

543 VETERANS' SERVICES
* TOTAL * 3,275 3,259

610 LIBRARY
WAGES: 5,985
LIBRARIAN/DIRECTOR 2,568
ASSISTANT LIBRARIAN 3,490
JANITOR 201 245
Sub Total 6,259 6,230
EXPENSES: 738
BOOKS/MAGAZINES 650
UTILITIES 990 1,188
OFFICE SUPPLIES 173 199
WISC 294 220
Sub Total 2,107 2,345
* TOTAL * 8,366 8,575

630 RECREATION
EXPENSES:
WAGES: 516 516
Sub Total 8,240 4,516
* TOTAL * 8,756 4,516

691 HISTORICAL COMMISSION
* TOTAL * 150 150

692 HARVEST FESTIVAL
* TOTAL * 50 50

710 DEBT PRINCIPAL
* TOTAL * 41,400 66,500

751 INTEREST ON DEBT
* TOTAL * 11,276 19,286

911 RETIREMENT
* TOTAL * 31,838 34,618

912 WORKERS' COMP
* TOTAL * 10,500 12,771

913 UNEMPLOYMENT
* TOTAL * 1,500 5,000

914 HEALTH INSURANCE
* TOTAL * 44,000 48,000

915 LIFE INSURANCE
* TOTAL * 324 360

916 MEDICARE
* TOTAL * 5,000 5,800

919 MEDICAL SECURITY TRUST FUND
* TOTAL * 500 0

945 LIABILITY INSURANCE
PUBLIC OFFICIALS: Sub Total 3,000 2,796
GENERAL: Sub Total 5,100 4,482
AUTO: Sub Total 7,511 10,033
* TOTAL * 15,611 17,311

0000 ALL DEPARTMENTS/CATEGORIES/SUBCATEGORIES

1,624,761 1,858,447



TOWN OF LEVERETT
Massachusetts 01054

July 5, 1991

Mr. Penske,

I understand that the purpose of including these amendments is so that you might compare the voted on article, submitted in section 2 of this package with the actual warrant articles submitted at this point. As you will see, the actual warrant articles for the zoning articles refer to complete texts on file with the Town Clerk. Rather than burden you with yet another 50 pages of text, please be assured that the complete text of the warrant articles which was on file with me is exactly the same as the final versions submitted except for three amendments which are detailed on the following page.

The first and third amendments on the next page, merely represent additions to definitions and use schedule. The second amendment does change wording to make the provision less restrictive.

If you wish to have the texts of the articles in addition to what I am submitting here, please call me at 413-548-9150 and leave a message.

Sincerely,

D'Ann Sauer Kelty

D'Ann Sauer Kelty
Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

FLOOR AMENDMENTS TO ANNUAL TOWN MEETING WARRANT ARTICLES:

Article two:

Motion to amend Article VI by the addition of the following after the definition for "Aquifer Recharge Area":

"Bed and Breakfast shall mean non-family accommodations for short periods (not to exceed 2 weeks) with breakfast provided and included in the fee and with the owner residing on the premises."

Amendment carried with majority voice vote.

Article three:

Motion to amend Section 2253: delete the words "...reconstruction is begun within 12 months and completed within 24 months..." and insert the words "...reconstruction is commenced within 24 months..."

Amendment carried with majority voice vote.

Article three:

Motion to amend Section 2231 by the addition of the following after the category "Non-family accommodations (boarding house, etc.) with 2 or 3 rooms to let":

"Bed and Breakfast with N SP N N"
4 or 5 rooms to let.

(allowing this only by Special permit and only in RR district)

Motion carried with majority voice vote.

A true copy attest:

Town Clerk

EXISTING BY-LAWS BEING AMENDED

One certified copy of the existing by-law being amended should be attached to this page (stapled, if not too bulky) if the substance of the proposed amendment is not readily understandable from the language in the article in the warrant. On each such existing by-law, please identify the number of the warrant article to which it relates.

NOTES:

1. A copy of the existing by-law is usually needed by the Attorney General when reviewing minor technical changes in current by-laws, amendments to tables showing uses permitted in different zoning districts, or amendments which merely recodify or reorganize lengthy by-laws which have already been approved by the Attorney General but which involve little or no substantive changes.

2. It would be most helpful to the Attorney General's office if the clerk would mark the existing by-law being amended to show what sections are being amended and what sections are remaining unchanged.

3. If the by-laws being submitted to the Attorney General are readily understandable from the language in the warrant, please do not include this form in the package mailed to the Attorney General.

Date TM Convened: April 27, 1991ZONING ARTICLES PROCEDURES

1. I hereby certify that the following persons were the members of the Town Planning Board at the time the zoning articles being acted upon were considered:

Ellis LandsetWilliam BramlageBenton MinksRobert HurshArnold GlazierThomas Stevens

Kenneth Kahn

Attest: Dylan Sauer Kelly
Town ClerkDate: June 17, 1991

2. For each zoning article, please state the date of the relevant Planning Board hearing and the date of the town meeting vote:

Article No(s).	Hearing Date	Date of TM Vote
<u>2,3,4,5,6,7,8</u>	<u>March 27, 1991</u>	<u>April 27, 1991</u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

3. Did the Planning Board issue a written or oral report containing its recommendations on the zoning articles to the town meeting?

Yes X Oral Written X (if written, please attach report to this page)No

4. Within the two years prior to the most recent town meeting, did the town meeting take unfavorable action on any of the zoning articles that the Attorney General is now being asked to review?

Yes Article Nos.: No X

If yes, did the Planning Board recommend the adoption of those articles to this most recent town meeting?

Yes No

TOWN MEETING WARRANT ARTICLE #2

LEVERETT PLANNING BOARD

REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE I

March, 27, 1991

Article I would amend the Leverett Zoning By-Laws by introducing a new numbering system and a new framework to the regulations. Our current by-laws have been amended several times in recent years. The result has been somewhat confusing. By adopting Article I, the Town Meeting would establish a more modern and understandable format for the by-laws.

It is important to note that the bulk of Article I is simply a renumbering or a rewording of Leverett's existing zoning. In some instances (for example, Section 2250 regarding nonconforming uses), the by-laws have simply been modernized to refer to the state law governing the topic. Some sections (for example, Section 2330 regarding rear lots) have been lifted intact and merely renumbered. In other instances (for example, the Aquifer Protection District of Section 4300) the rules have been rewritten, without changing the substance of the by-law, to make a more understandable package. However, several new provisions are included in Article I. These new regulations include Section 3420 regarding disturbances, Section 2242 regarding the keeping of animals except in agricultural activity, and Section 3430 regarding landscaping of commercial premises.

The Planning Board has assembled Article I to serve as the backbone of the new Zoning By-Laws. It is primarily a "house-keeping" by-law, without major changes or controversies. For these reasons, the Planning Board unanimously urges adoption of Article I.

Chairman

FILEV#2.Zoning91

-1-

TOWN MEETING WARRANT ARTICLE #3

LEVERETT PLANNING BOARD

REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE II

March 27, 1991

Article II of the proposed Leverett Zoning By-Laws establishes a "use schedule" for the first time. The existing by-laws list available uses, district by district, within the body of the text. This format has proven to be awkward and confusing. The proposed use schedule of Article II would provide a simple chart of available uses in the various zoning districts of the town.

Of course, the use schedule also makes clear choices as to the location of particular uses in particular districts. For the most part, the entries in the use schedule reflect existing Leverett zoning regulations. In a few instances, new entries have been added to the use schedule (see "sawmill," for example). The planning Board is of the opinion that the entries in Section 2230 represent an appropriate course for the development of the Town's future.

For the above reasons, the Planning Board unanimously recommends the enactment of Article II.

Chairman

FILEV#2.Zoning91

-1-

TOWN MEETING WARRANT ARTICLE # 4

LEVERETT PLANNING BOARD

REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE III

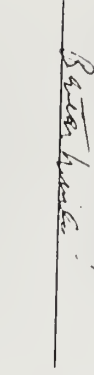
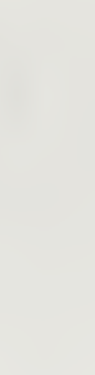
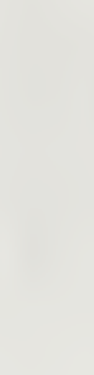
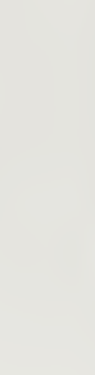
March 27, 1991

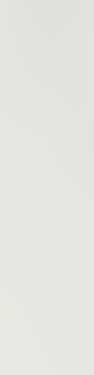
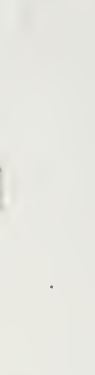
Article III of the proposed by-laws establishes a dimensional schedule to be included at Section 2340. The dimensional schedule is, for the most part, a statement of the existing Leverett regulations. The schedule has been expanded to include reference to the Aquifer Protection District's larger lot size, height limitations, and minimum open space. The schedule also increases the minimum frontage and lot size for two family structures.

For the above reasons, the Planning Board unanimously recommends the enactment of Article III.

 , Chairman



LEV#2.Zoning91

-1-

TOWN MEETING WARRANT ARTICLE # 5

LEVERETT PLANNING BOARD

REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE IV

March 27, 1991

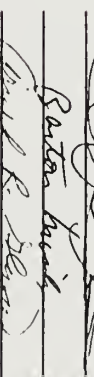
Article IV establishes a new "accessory apartment" by-law. An accessory apartment is defined as a small (less than 800 square ft.) dwelling unit within an existing single-family home. It would not convert such a residence to a two-family or duplex structure. The purpose of the accessory apartment by-law is to generate additional dwelling units in Leverett, with a minimum of red tape and expense, for low or moderate income residents. The availability of accessory apartments should give single people, single parents with small children, and in particular, the elderly, a greater opportunity to stay in Leverett.

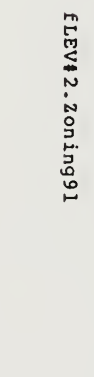
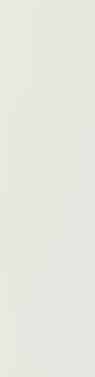
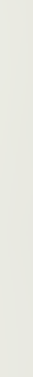
The accessory apartment or the principal residence must be occupied by the owner of the premises. It must conform to the Board of Health's regulations for on-site wastewater disposal and the state building code. Changes to the appearance of the single-family structure must be minimized by screening and stairways and limiting the expansion of any building.

Finally, the accessory apartment is available only on a special permit from the Board of Appeals. If a permit is granted, it shall expire after two years, but it may be renewed upon a simple showing to the Board that conditions have not changed since the original application.

For the above reasons, the Planning Board unanimously recommends the enactment of Article IV.

 , Chairman

LEV#2.Zoning91

-1-

TOWN MEETING WARRANT ARTICLE # 6

LEVERETT PLANNING BOARD

REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE V

March 27, 1991

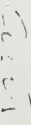
Article V rennumbers existing Section VI.B regarding drive-ways and substantially keeps its language intact. The only significant change to the existing by-law is in a clarification of the special permit decision criteria for:

- * Driveways within ten feet of a lot side line (Section 3511);
- * driveways more than five hundred (500) feet in length (Section 3512); and
- * driveways with a grade in excess of 8% at the intersection with a public way (Section 3513)

The existing by-law places the construction of such drive-ways on special permit; however, the by-law is allegedly unclear as to whether all of the criteria for special permits should be applied. These include environmental and fiscal analyses. In order to eliminate any possible confusion, proposed Article V would limit the special permit review to an assessment of "safe and reasonable access for all vehicles."

For the above reasons, the Planning Board recommends the enactment of Article V.

Chairman







TOWN MEETING WARRANT ARTICLE # 7

LEVERETT PLANNING BOARD

REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE VI

March 27, 1991

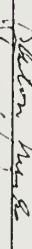
Article VI of the proposed zoning By-laws replaces the existing Stream and Lake Protection District of Section IV.D and V.D. The format of the new by-law is consistent with the other resource overlays, including flood plain and aquifer protection.

Furthermore, the new by-law expands the protection of "major" streams and Leverett's ponds to a setback of 100 feet from the bank or shore. "Minor" streams are still protected, as they are now, for a distance of 50 feet from their banks.

For all of the above reasons, the Leverett Planning Board unanimously recommends enactment of Article VI.

Chairman





TOWN MEETING WARRANT ARTICLE # 8

LEVERETT PLANNING BOARD

REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE VII

March 27, 1991

Article VII of the proposed by-laws establishes a new "flexible development" procedure for residential subdivisions. The purpose of the by-law is to provide developers a third alternative in the creation of new lots. In addition to orthodox subdivisions and the development of front lots through the "Approval Not Required" process, landowners could elect the option of flexible development through Section 4800. It is important to note that Section 4800 adds to the alternatives for a developer, and in no way restricts or limits any rights currently available under law.

The purpose of flexible development is to preserve the open space within a development space in a sensitive and usable manner. Instead of imposing rigorous lot size, setback, and other dimensional requirements, Section 4800 relaxes strict rules to promote better site design. The goal of flexible development is to site the homes on smaller lots, thus leaving more of the parcel for open space. A minimum of 30% of the entire parcel must be left as contiguous open space in order to satisfy the by-law. It is also an objective of flexible development to preserve those attributes of the site most unique or attractive: agriculture, archeology, forested areas, and the like.

The applicant for flexible development is only authorized to place on the parcel dwelling units equal to the number of single family homes that could be constructed on the site under all applicable rules and regulations. However, the Planning Board may authorize an increase of up to 15% of the number of dwelling units where the applicant proposes to restrict units for families of low or moderate income.

Any flexible development requires a special permit from the Planning Board. Before a permit is issued, the Board must review soil conditions, road layout, parking, drainage, wetlands, and building plans to ensure that design is appropriate.

For all of the above reasons, the Leverett Planning Board unanimously recommends enactment of Article VII.

 , Chairman

 David R. Phipps

 Peter Lewis



Date TM Convened: April 27, 1991ZONING PROCEDURES ATTACHMENTS

One certified copy of each of the following documents is stapled to this page (please check off):

1. x the notice(s) of the public hearing(s) held by the Planning Board (or other board) on the proposed zoning changes, showing
 - (a) both dates of publication;
 - (b) the name of the newspaper of general circulation in the town in which the notice was published;
 - (c) the article number to which each item in the notice relates (this may be marked on the advertisement by the clerk, by hand).

2. x a certificate from the Planning Board (or other board) that notice of its hearing was posted in a conspicuous place in the town hall at least 14 days before the date of the hearing;

3. x a certificate from the Planning Board (or other board) that notice of its hearing was sent by mail, postage prepaid, to:
 - (a) the Department of Community Affairs;
 - (b) the regional planning agency;
 - (c) the planning boards of all abutting cities and towns;
 - (d) (if applicable) all non-resident property owners who have filed an annual request with the town clerk in accordance with local by-law or law.

FOR THE RECORD

jacket itself caught fire. The fire was extinguished by Amherst College security personnel before firefighters arrived at 9:41 p.m. Fire damage was limited to the jacket and the stove. Firefighters ventilated the room.

A Hampshire College student accidentally set a pair of pants on fire by carelessly disposing of a cigarette. The student was not wearing the pants. Firefighters responded to the call at Merrill House at 11:52 p.m. on March 14. The burning pants had already been extinguished by the student. No damage was reported.

Weather

Here are Phillip Ives' observations of the last seven days' high and low temperatures and precipitation at Amherst College:

Tuesday, 45, 25.0.
Wednesday, 53, 24.0.
Thursday, 40, 34, .25 (2 snow)
Friday, 42, 31, .28 (2.5 snow)
Saturday, 51, 28.0.
Sunday, 60, 24.0.
Monday, 49, 36, .57.

The first half of March had an average mean temperature of 38.9 degrees, five degrees warmer than the norm of 33.6. The 3.23 inches of precipitation for this period was more than an inch above the norm. This week's snowstorm brought widely varying amounts to the area. At this station the measurement was 4.5 inches. The average snowfall for March is 9.1 inches.

Legal Notices

COMMONWEALTH OF MASSACHUSETTS THE PROBATE AND FAMILY COURT DEPARTMENT

Hampshire Division Doc# 100-91P0114E1
Estate of ALFRED F. HAVIGHURST late of Amherst in the County of Hampshire.

NOTICE

A petition has been presented in the above-captioned matter praying that the will of said deceased be allowed and that EUTHOKIA S. PORTER of Amherst in the County of Hampshire be appointed executrix thereof, without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Northampton on or before 10:00 in the forenoon on April 10, 1991.

In addition you must file a written statement of objections to the petition, giving the specific grounds therefor, within (30) days after the return day (or such other time as the court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, SEAN M. DUNPHY, Esquire, Justice of said Court at Northampton, the 12th day of March in the year of our Lord one thousand nine hundred and ninety-one.

ROBERT F. CZELUSNIAK
Register of Probate
March 20 AB

LEGAL NOTICE TOWN OF LEVERETT PLANNING BOARD

The Town of Leverett Planning Board will hold a public hearing pursuant to G.L. c. 40A, s. 5 on March 27, 1991, at 7:30 p.m. at the Leverett Town Hall, Montague Road, Leverett, Massachusetts. The purpose of the public hearing is to provide interested parties with an opportunity to comment on proposed changes to the Leverett Zoning By-Laws. The proposed zoning amendments represent a complete modernization of the Leverett Zoning By-Laws; all existing by-laws will be deleted and new by-laws shall be substituted therefor. The proposed amendments include:

ARTICLE 1. To see if the Town will vote to amend the Leverett Zoning By-Laws by rewording the "Purpose Clause" and renumbering said provision as new Article 1; by deleting existing Section 11.A regarding grandfathered uses and substituting new Section 22.50 therefor; by deleting existing Section 11.B.1 regarding continuation of nonconforming uses and substituting new Section 22.52 therefor; by deleting Sections 11.B.2, 11.B.3, 11.B.4, and 11.B.5 regarding alteration of nonconforming uses and substituting new Sections 22.51, 22.53, 22.54, and 22.55 therefor; by deleting existing Sections 14.A (first three lines of text only), 14.B, and 14.C regarding establishment of zoning districts and

Legal Notices

substituting new Section 2100 therefor; by adding a new Section 2310 and a new Section 2320 regarding construction of single or multiple structures on lots in the town; by rewording existing Section 11.F regarding rear lots, deleting the definition of "building line" therein, and renumbering said section as new Section 2330; by deleting existing Section 11.A and 11.F regarding accessory buildings and substituting new Sections 22.40, 22.44, 22.45, 22.46 and 22.47 therefor; by adding a new Section 22.43 regarding accessory scientific uses; by adding a new Section 22.42 regarding the keeping of animals (excepting agriculture); by deleting existing Section 11.A.1 regarding home occupations and substituting new Section 22.41 therefor; by deleting existing Section 11.C regarding area of lots; by deleting existing Section 11.J.1 and 11.J.2 regarding prohibited uses; by deleting existing Section 11.H regarding parking and substituting new Section 3100 therefor; by deleting existing Section 11.C regarding corner clearance and substituting new Section 3200 therefor; by deleting existing Section 11.I regarding signs and substituting new Section 3300 therefor; by deleting existing Section 11.N regarding erosion control and substituting new Section 3410 therefor; by adding new Sections 3420 and 3430 regarding disturbances and landscaping, respectively; by deleting existing Section 11.G regarding unregistered motor vehicles and substituting new Section 3600 therefor; by deleting existing Sections 11.J.3 and 11.J.4 regarding billboards and lighting; by deleting existing Section 11.K regarding rate of development and by substituting new Section 3700 therefor, which includes a five-year extension; by deleting existing Section 11.L regarding subdivision phasing and substituting new Section 3800 therefor; by deleting existing Section 11.M regarding site plan review and substituting new Section 3900 therefor; by deleting existing Section 11.D regarding earth removal and substituting new Section 4200 therefor; by deleting existing Section 11.A.3 regarding campers and campgrounds and substituting new Section 4100 therefor; by deleting existing Sections 11.F and 11.P regarding aquifer protection districts and substituting new Section 4300 therefor; by deleting existing Sections 11.E and 11.E regarding flood hazard districts and substituting new Section 4400 therefor; by adding a new Section 4600 regarding scenic roads protection; by deleting existing Sections VII, VIII, IX, X, and XI regarding, respectively, enforcement, penalty, zoning board of appeals, other regulations, and validity; and substituting new Article V (Administration) therefor; and by deleting existing Section III in its entirety, regarding definitions, by deleting the definition of "non-conforming use" in existing Section 11.B, and by substituting the following new Article VI (Definitions) therefor:

ARTICLE 2. To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section V.A, V.B, and V.C in their entirety regarding use regulations and by deleting existing Section V.A.4 regarding retail grocery or general stores in Village Residential Districts and by substituting new Section 2200 therefor, which provides a schedule of principal use regulations.

ARTICLE 3. To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section IV.A's "Basic Lot Size" table and the Table of Dimensional Requirements appended to the existing By-Laws and substituting new Section 2140 therefor, which provides a table of dimensional requirements.

ARTICLE 4. To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 2400, Accessory Apartments. An Accessory Apartment is a small dwelling unit not to exceed 800 square feet within a single-family residence. The by-law is intended to allow the creation of such units in order to

promote affordable housing alternatives, particularly for elderly Leverett residents.

ARTICLE 5. To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section 11.B regarding driveways and substituting new Section 3500, which is substantially a rewording and renumbering of same.

ARTICLE 6. To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Sections 14.D and 14.D regarding the stream and lake protection district and substituting new Section 4500 therefor. The revised by-law restricts the use of land within certain distances of water bodies in Leverett.

ARTICLE 7. To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4800 regarding flexible development. Flexible development is intended to allow residential construction on larger parcels of land without strict adherence to the bulk requirements of this Zoning By-Law, as long as the project first obtains a special permit from the Planning Board, leaves at least 30% of the

parcel as usable open space, and observes strict design guidelines. Nothing in this article is intended to eliminate the statutory right to develop land through the Subdivision Control Act.

ARTICLE 8. To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4700 regarding upper elevation site plan review. The proposed by-law would affect only construction in excess of 50 feet (vertical) above an abutting public way.

THESE ARTICLES MAY NOT BE NUMBERED AS THEY WILL ULTIMATELY APPEAR IN THE WARRANT AT ANNUAL TOWN MEETING.

The complete text of these proposed amendments to the Zoning By-Laws are on file at the office of the Town Clerk, Town Hall, Montague Road, Leverett, Massachusetts, and are available for inspection during regular business hours.

Ellis Landseil, Chairman
21-March 13, 20 AB



- SPECIALS THIS WEEK -

Coors, Coors Lite
Coors Extra Gold.....12 pk. \$6⁶⁹

Coch's Golden Anniversary
Beer.....case \$8²⁹

Captain Morgan.....750 ml. \$7⁴⁹

Jim Beam.....750 ml. \$6⁹⁹

Seagrams 7.....750 ml. \$7⁶⁹

Gallo Classic Wines.....1.5 ml. \$3⁹⁹

(Kosher Wines Are Now In!)

10% Senior Citizens Disc. Every Day Of The Week
Non Sale Items Only

Four Seasons
WINES & LIQUORS

ROUTE 9, HADLEY, Between Burger King and Dunkin' Donuts • 581-8171

* Plus Deposit



Amy



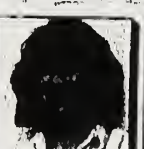
Loraine



Vicki



Shelly



Karyn



Sharon

the Hair Shop

WOMEN'S SALON • MEN'S SALON

8 River Dr., Hadley 584-6343

Open Mon. 12-8 • Tues.-Fri. 9-8 • Sat. 9-3

PERM SPECIAL \$39⁹⁵

Includes Cut & Style. Reg. \$46

With Coupon only - Long hair-spiral wrap extra.

Can not be combined with any other offer.

Expires 3/30/91

WE USE AND RECOMMEND

PAUL MITCHELL
PROFESSIONAL SALON PRODUCTS

Hamshaw Lumber of Keene, NH and Orange, MA ... asks ...

BUILDING? REMODELING?

Hadley

Hadley

TOWN OF LEVERETT

AFFIDAVIT

ELLIS S. LANDSET, being duly sworn deposes and states as follows:

1. Until recently I was Chairman of the Planning Board for the Town of Leverett, Massachusetts. At all times pertinent to the actions certified in this affidavit, I was chairman of the Planning Board.
2. This Affidavit is being made as proof of compliance with the General Laws regarding the adoption of Amendments to the Town of Leverett Zoning By-laws, which Amendments were adopted at Annual Town Meeting held on April 27, 1991.
3. Notice of a Public Hearing on the proposed Amendments was duly published in the Amherst Bulletin on March 13, 1991 and again on March 20, 1991. A copy of the Notice is attached hereto as Exhibit "A".
4. In addition, copies of the Notice for the Public Hearing were mailed, postage pre-paid to the Department of Community Affairs, The Franklin County Regional Planning Board, the Town of Sunderland Planning Board, the Town of Montague Planning Board, the Town of Wendell Planning Board, the Town of Shutesbury Planning Board and the Town of Amherst Planning Board. Additionally, a copy of the Notice was posted at the Leverett Town Hall on or before March 13, 1991.
5. A Public Hearing was held by the Planning Board on Wednesday, March 27, 1991 at the time and place stated in the Notice.

6. Following the Public Hearing, the Planning Board submitted reports on these Articles to the Town Meeting with its recommendations. Copies of those reports are annexed hereto as Exhibit "B".



ELLIS S. LANDSET

COMMONWEALTH OF MASSACHUSETTS

FRANKLIN, SS

May 6, 1991

Then personally appeared the above-named Ellis S. Landset who acknowledged the foregoing to be his free act and deed, before me



Denise M. Richardson

Notary Public

My Commission Exp.: 3/26/93

TOWN OF LEVERETT FY92 Budget

account #

113-5100	Town Meeting salaries	200
113	Town Meeting expenses	245
114-5100	Moderator salary	50
122-5100	Selectmen salaries	10477
122	Selectmen expenses	2260
124-5100	Administrative Assistant salaries	16520
124	Administrative Assistant expenses	3598
131	Finance Committee	95
132	Capital Planning	100
135	Audit	2700
141-5100	Assessors salaries	3848
141	Assessors expenses	950
142	Revaluation	8000
145-5100	Treasurer salaries	7938
145	Treasurer expenses	3600
146-5100	Collector salaries	6720
146	Collector expenses	2032
151	Town Counsel	7500
161-5100	Town Clerk salaries	6050
161	Town Clerk expenses	1670
162-5100	Elections salaries	240
162	Elections expenses	100
163-5100	Registrars salaries	170
163	Registrars expenses	50
171-5100	Conservation Commission salaries	525
171	Conservation Commission expenses	875
175	Planning Board	1350
176	Zoning Board of Appeals	125
192-5100	Building Maintenance salaries	2205
192	Building Maintenance	8425
193	Building Insurance	7107
194	Auto Collision/Comprehensive	2322
195	Town Report	1750
198	Newsletter	1120

100 TOTAL GENERAL GOVERNMENT

110917

210-5100	Police salaries	32190
210	Police expenses	21600
220-5100	Fire salaries	8785
220	Fire expenses	11549
231-5200	Ambulance	8829
241-5200	Building/Plumbing/Electrical Insp	13358
249	Animal Inspector expenses	100
291	Civil Defense	25
292-5100	Dog Officer salaries	650
292	Dog Officer expenses	90
299	Tree Warden expenses	1500

200 TOTAL PUBLIC SAFETY

98676

300	School, Elementary	~~687672~~	682,202
310	School, Regional	556689	
302-5100	School Committee salaries	250	
300 TOTAL EDUCATION		~~1244611~~	1,239,141
422-5100	Highways salaries	59618	
422	Highways expenses	57595	
423-5100	Snow and Ice salaries	8136	
423	Snow and ice expenses	12500	
424	Street Lights	2586	
439-5100	Landfill salaries	1997	
439	Landfill expenses	25920	
491	Cemetaries	1125	
400 TOTAL PUBLIC WORKS			169477
510-5100	Board of Health salaries	1200	
510	Board of Health expenses	625	
519-5200	Health Agent	6405	
541	Council on Aging	340	
543-5200	Veterans Agent	3259	
500 Total Human Services			11829
610-5100	Library salaries	6230	
610	Library expenses	2345	
630-5100	Recreation salaries	4000	
630	Recreation expenses	516	
691	Historical Commission	150	
692	Harvest Festival	50	
600 TOTAL CULTURE & RECREATION			13291
710	Debt Principal	66500	
751	Debt Interest	19286	
700 TOTAL DEBT SERVICE			85786
911-5100	Franklin County Retirement	34618	
912-5100	Workers Comp	12771	
913-5100	Unemployment	5000	
914-5100	Health Insurance	48000	
915-5100	Life Insurance	360	
916-5100	Medicare	5800	
945	Liability Insurance	17311	
900 TOTAL MISCELLANEOUS			123860
TOTAL		~~1858447~~	1,852,977

Chapter 30

PERSONNEL

30-1 Establishment of Personnel Board; statutory authority

Pursuant to the authority contained in MGL C. 41 Sections. 108A and 108C, there shall be established a Personnel Board which shall administer the provisions of this Personnel Bylaw of the Town of Leverett, determine any questions arising thereunder and advise the Town in any matters pertaining thereto.

30-2 Title; statutory authority

This chapter shall be known as the "Personnel Bylaw for the Town of Leverett" and is adopted pursuant to the provisions of MGL C. 41 Section 108C.

30-3 Applicability

This bylaw shall be applicable to all persons in the service of the Town except officials elected by popular vote, Town Counsel, persons under the direction and control of the School Committee and those who render certain intermittent and casual services.

30-4 Definitions

As used in this bylaw, the following words and phrases shall have the following meanings unless a different construction is clearly required by the context or by the laws of the commonwealth:

Administrative Authority - The elected or appointed board or individual having jurisdiction over a function or activity.

Board - The Personnel Board, as defined in Section 30-5 of this chapter.

Casual Service - Personnel service rendered by an employee in a position calling for part-time employment, which service does not constitute continuous employment. This service is rendered occasionally and without regularity according to the demands therefor.

Compensation Plan - The totality of all Wage and Salary Schedules as shown in "The Town of Leverett Employee Handbook".

Compensatory Time - Hours worked which are in excess of the normal hours required for the proper functioning of the position.

Continuous Employment - Employment uninterrupted except for vacation leave, sick leave, or other authorized leave of absence.

Department = Any department, board, committee, commission or other agency of the town subject to this bylaw.

Department Head - The individual or group of individuals within a department, board, committee or commission with the authority to hire or recommend individuals to the selectmen for hiring.

Employee - A person who receives compensation from the Town for services rendered, other than those employees excluded in 30-3.

Full Time Employee - An employee retained in full time, continuous employment as defined below.

Full Time Employment- Employment for not less than thirty (30) hours per week fifty-two (52) weeks per annum, minus legal holidays and authorized vacation leave, sick leave, and other authorized leave of absence.

Increment - The dollar difference between step rates.

Intermittent Service - Personal service rendered by an employee in a position calling for part-time employment, which service, although constituting continuous employment is not rendered during prescribed working hours, daily, weekly or annually, but is rendered according to the demands for such service.

Maximum Rate - The highest rate in a range which an employee normally is entitled to attain.

Minimum Rate - The lowest rate in a range which is normally the hiring rate of a new employee.

Part-Time Employee - An employee retained in part-time employment.

Part-Time Employment - Employment for less than full-time employment, as defined.

Permanent Employee - Any employee retained on a continuing basis in a permanent position as defined.

Permanent Position - Any position in the town service which has required or which is likely to require the services of an incumbent without interruption for a period of more than six (6) calendar months, either on a full-time or part-time basis.

Personal Rate - A rate above the maximum rate applicable only to a designated employee.

Position - An office or post of employment in the Town service for with duties and responsibilities calling for the full-time or part-time employment in the performance and exercise thereof.

Probationary Employee - An employee filling a permanent position who has been employed less than six (6) months.

Promotion = A change from a position of a lower pay and compensation to a position with greater responsibilities in a higher compensation level.

Range - The dollar difference between minimum and maximum rates of pay.

Rate - A sum of money, designated as compensation for hourly, daily, weekly, monthly, annually or other basis.

Regular Part-time Employment - Employment in a permanent position of an employee who works less than full time.

Temporary Employee - An employee in a temporary or seasonal position as defined.

Temporary position or Seasonal Position - Any position in the Town service which requires or which is likely to require the service of one (1) incumbent for a period not to exceed six (6) calendar months; a seasonal position requiring less than the workweek of its occupation group shall be considered part-time.

Town - The Town of Leverett

30-5 Personnel Board

A. Pursuant to the authority contained in MGL Chapter 41 Section 108C, there shall be established a three (3) person Personnel Board which shall administer the provisions of this personnel bylaw, determine any questions arising thereunder and advise the Town in any matters pertaining thereto. The authority of this bylaw charges the Personnel Board with the following responsibilities:

1. Describing the duties and responsibilities of all positions to which this bylaw is applicable.
2. Authorizing a compensation plan for those positions.
3. Providing for the administration of said compensation plan.
4. Establishing working conditions and fringe benefits for employees occupying the positions described in 30-3.
5. Providing for the compilation and revision of an employee handbook which describes the conditions of employment with the Town including job descriptions, compensation plans, fringe benefits, and vacations.

B. The membership of the Board shall be as follows: One (1) member of the Board of Selectmen, to be drawn from and chosen by the Board of Selectmen; one (1) member of the Finance Committee to be drawn from and chosen by the Finance Committee; and one (1) member at large to be appointed by the Moderator. An appointee shall be a registered voter of the Town and shall not be an employee of the Town or under the direction of the School Committee. The term of office shall be for three (3) years, except for the first term, which shall be: Selectmen, one (1) for one (1) year; Finance Committee, one (1) for two years and member at large one, (1) for three years. The Administrative Assistant shall be an ex officio

member.

- C. Vacancies, other than by expiration of terms, shall be filled in the same manner and by the same authority for the balance of the unexpired term. In the event that such a vacancy is not filled within sixty (60) days of written notice, the remaining members of the Personnel Board shall fill the vacancy for the balance of the unexpired term.
- D. A member may be appointed to succeed himself/herself, but the entire tenure shall not exceed three (3) consecutive terms of office [nine (9) years].
- E. The Board shall be invested with all the powers and duties specified in MGL C.41 Section 108C.
- F. Within thirty (30) days after the Board has been appointed and annually, it shall convene and, by majority vote, elect among the Board membership:
 - (1) A Chairman
 - (2) A Secretary
- G. The chairman shall:
 - (1) Call the Board together and preside at its meetings.
 - (2) Represent the Personnel Board at selectboard meetings, town meetings, budget hearings.
 - (3) Prepare for publication any proposed bylaw amendments and administer the process proscribed for such amendments.
 - (4) Act as the administrator of this chapter and initiate such activity as prescribed by the chapter.
- H. The Secretary shall:
 - (1) Publicly post Board meetings as required by law
 - (2) Keep Board minutes and receive and deliver its communications
 - (3) Immediately, and not later than ten (10) days after occurrence, notify in writing the Town Clerk and the appointing authority of a vacancy on the Board
 - (4) Be responsible for all its files and records
 - (5) Prepare its annual report
 - (6) Submit to the Town Clerk one (1) copy of the minutes of each meeting.
- I. Any two (2) members shall constitute a quorum for transaction of business.
- J. The Board shall oversee the administration of personnel policies and shall establish such procedures as it deems necessary for the proper administration thereof. It may employ assistance and incur expenses as it deems necessary, subject to the appropriation of funds therefor.
- K. The Board shall maintain the Personnel Handbook provided for in 30-5A(5) of this chapter.
- L. As part of its responsibilities, the Board shall:

(1) The Board from time to time, on its own motion shall investigate the duties and rates of salaries or wages of any or all positions of this chapter. Such reviews shall be made at such intervals as the Board deems necessary and, to the extent which the Board considers practicable. The Board of Selectmen may on an annual basis request that such an investigation be made. In no case shall the board be required to undertake such a review more than once per year.

(2) The Board shall assist the Selectmen and departments by preparing and reviewing current information as to municipal salary and wage rates, fringe benefits and working conditions, acting in this capacity as the technical staff to the Town.

(3) The Board shall maintain written job descriptions each consisting of a statement describing the essential nature of the work and the characteristics that distinguish each position. A job description is intended to generally describe the responsibilities pertaining to a particular position and is not meant to interfere with the ability of the immediate supervisor to assign duties.

- M. Upon recommendation of a department, the Board may authorize an entrance rate higher than the minimum rate for a position, and/or such variance in the compensation plan as it may deem necessary for the proper functioning of the town. No variance shall become effective unless or until the necessary funds have been legally provided.
- N. The Board shall administer and enforce this chapter. From time to time, by its own vote, it may issue, amend or revoke its policies, regulations and procedures. The Personnel Board may also recommend amendments to this chapter and submit such amendments to the Town Meeting according to the provisions of 30-7 of this chapter.

30-6 Employment Practices

- A. Hiring Subject to the provisions of this policy, if a vacancy occurs or a new position is established, the Department Head shall, subject to the approval of the Board of Selectmen, advertise the opening. All open positions, part-time and full-time, for employment in the Town, shall not be filled until they have been posted for at least seven days on the public bulletin board at the Town Hall, except those positions filled on an emergency basis. Applications shall be received and interviews conducted as agreed to by the Selectmen and department head.
- B. All hiring shall be done in accordance with Leverett's Equal Opportunity Policy (Leverett Code Chapter 187 Article III)
- C. Prior to being hired, a prospective employee will be given a job description and copy of benefit package pertaining to his/her prospective position. The prospective employee will also be told what type of employee he/she is: e.g. part-time, full-time, etc.
- D. Physical exam All newly-hired, permanent personnel may be required to submit a preplacement statement of physical condition completed by

their physician. For certain positions the Town may require a complete physical examination.

E. Probation The first six (6) months of an employee's continuous service shall constitute his/her probationary period. During this period, said employee may be terminated with one week's written notice by the Department Head, subject to review by the Personnel Board.

F. Disciplinary action

(1) **Verbal Reprimand:** In the event that an employee is not meeting job expectations, the supervisor shall orally review the job expectations with the employee and indicate those areas in which the employee is failing to fulfill his/her responsibilities. The supervisor shall keep a written summary of the discussion.

(2) **Written Reprimand:** If job performance of the employee has not improved within a time period specified by the supervisor, then the supervisor will issue a written warning to the employee indicating that failure to remedy the listed shortcomings will result in dismissal.

(3) **Disciplinary Probation:** If verbal and written reprimands fail to correct unsatisfactory job performance, an employee may serve a maximum three (3) months disciplinary probation, as determined by their supervisor. Disciplinary probation will be imposed only where such action is not in conflict with requirements of existing labor agreements. When the employee's disciplinary probation expires the Department Head will examine whether the employee's performance and behavior was satisfactory and thus will be retained in his/her position; or, the employee's performance behavior remained unsatisfactory and that the Department Head recommends termination of the employee.

(4) **Suspension:** An employee may be suspended by a Department Head without pay for a period of time not to exceed forty-five (45) days. The employee shall be notified in writing of the reason for suspension, of the length of the suspension period and at least twenty-four (24) hours prior to the beginning of the suspension period.

G. Termination Upon expiration of the six (6) month probationary period, an employee for the town shall be terminated only for just cause. The department head shall give the employee written notice two (2) weeks prior to the termination date. This notice will include reasons for termination. The employee has the right to a review by the Personnel Board and may request that the Personnel Board overturn the termination action. If the Personnel Board upholds the Department Head's termination action, the employee has a right to a hearing before the Personnel Board and has the right to be represented by counsel.

H. Grievance Procedure: If any employee shall feel aggrieved by the operation of any provision of the plan, he/she shall first discuss

the matter with his or her Department Head, in a mutual effort to clear up any problem or misunderstanding. If, after conference, a satisfactory understanding and solution of the problem has not been reached, then either the department head or the employee may take the matter to the Board. The Board shall hear the parties and make a final decision within thirty (30) days. This procedure shall not take the place of any grievance procedure under agreement.

30-7 Amendment Procedure

The Town of Leverett Personnel Policy Bylaw may be amended or repealed by majority vote of Town Meeting following a public hearing called for the purpose of discussing the proposed changes, held at least 30 days before the Town Meeting vote.

30-8 Severability

In the event that any provision of this bylaw shall be deemed invalid, unreasonable, illegal or unconstitutional by a court of law, such provision shall be stricken or modified so as to render it valid, reasonable, legal or constitutional. The invalidity of any provision hereof shall not be construed to invalidate any other provision of this chapter.



TOWN OF LEVERETT
Massachusetts 01054

Annual Town Meeting
April 27, 1991

Article twenty-seven: Moved and seconded that the town vote that effective July 1, 1991 all fees collected by the Town Clerk be paid into the Town General Revenue Account and not be retained by the Town Clerk.

Motion carried.

A true copy attest:

D'Ann Sauer Kelty
Town Clerk



TOWN OF LEVERETT
Massachusetts 01054

May 15, 1991

Mr. Michael J. Connolly
Secretary of State
Commissions
One Ashburton Place Room 1719
Boston, MA 02108
Attn: Lee Sutera

RE: Chapter 291 of the Acts of 1990
Enhanced 9-1-1

Dear Secretary Connolly:

Please be advised that the Town of Leverett Massachusetts has accepted the provisions of the above referenced legislation.

Attached is a certified copy of the vote of the town meeting.

Sincerely,

D'Ann Kelty

D'Ann Kelty
Town Clerk





TOWN OF LEVERETT
Massachusetts 01054

At the 1991 Annual Town Meeting of the Town of Leverett Massachusetts,
held on Saturday, April 27, 1991, the town was presented with the
following motion:

"I MOVE THAT THE TOWN VOTE TO ACCEPT THE PROVISIONS OF CHAPTER 291
of the ACTS of 1990 RELATIVE TO ENHANCED 9-1-1 SERVICE AND THAT THE TOWN CLERK
NOTIFY THE SECRETARY OF THE COMMONWEALTH OF SAID ACCEPTANCE ON OR BEFORE
DECEMBER 11, 1991."

The motion carried unanimously.

A true copy, I attest:

D'Ann Sauer Kelty

D'Ann Sauer Kelty
Town Clerk

P 868 893 598

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

Sent to	Michael J. Connolly
Street and No	One Ashburton Place
P.O., State and ZIP Code	Boston, MA 02108
Postage	
Certified Fee	1.00
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1.00
Return Receipt showing to whom Date and Address of Delivery	
TOTAL Postage and Fees	2.00
Postmark or Date	

PS Form 3800, June 1985

● SENDER: Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4. Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☐ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)	
3. Article Addressed to: Mr. Michael J. Connolly, Secy of State Commissions One Ashburton Place Room 1719 Boston, MA 02108	4. Article Number 1868893598 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED
5. Signature — Addressee X	8. Addressee's Address (ONLY if requested and fee paid) JUN 24 1991
6. Signature — Agent <i>Michael J. Connolly</i>	
7. Date of Delivery JUN 20 1991	

PS Form 3811, Apr. 1989

DOMESTIC RETURN RECEIPT

The Commonwealth of Massachusetts
Office of the Secretary of State

NUMBER OF PEOPLE WHO VOTED

Town of
LEVERETT

In accordance with the requirements of the General Laws, I

certify that the number of people who voted in the Town/State

election held on April 27, 1991
(date of election) was as follows:

TOTAL NUMBER OF PEOPLE WHO VOTED IN EACH PRECINCT

Precinct	NUMBER OF VOTERS	Precinct	NUMBER OF VOTERS
	Leverett elects its town officials within the context of the Annual		
	Town Meeting. The largest vote about for a contested position on the		
	day of the meeting was 185.		
Total			

Town Clerk

Das Sauckelt,

Please return within 15 days after the local election to the Secretary of State, Elections Division, Room 1705, 1 Ashburton Place, Boston, MA 02108.

Town of LEVERETT

In accordance with the requirements of the General Laws, we certify that

at the close of registration on April 5, 1991, the
date of close of registration

number of registered voters was as follows:

[illegible]

Town Clerk D'Ann Saxe Kelly

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

TOWN OFFICERS ELECTED

Town of LEVERETT

In accordance with the requirements of the General Laws, I certify that the following persons were elected to town officers at the annual town election held on April 27, 1991

(date of election)

Town Clerk D'Ann Sauer Kelly

Return immediately after town election to the Secretary of State, Elections Division, Room 1705, McCormack Building, 1 Ashburton Place, Boston, MA 02108.

OFFICE	NAME	TERM EXPIRES
Auditor	Steven Nagy	1992
Selectman	Alice J. Rarig	1994
Board of Health	Pamela Blinn	1994
	Matthew Corcoran	1992
Assessor	Steven S. Ball	1994
School Committee	Judith Fonsh	1994
	Charles Paulin	1994
Finance Committee	Jacqueline McNeal	1994
	Dennis Paquette	1994
Library Trustees	Susan Nagy	1994
	Robert Schuyler	1994
Planning Board	Sidney Poritz	1996
	Jeffrey McQueen	1996
Constable	Ethan Howard	1994
Tree Warden	William Stratford	1992

NAMES OF SELECTMEN AND CLERKS

TOWN: LEVERETT

BOARD OF SELECTMEN

TERM EXPIRES

Chairperson: FENNA LEE BONSIGNORE

1992

DONALD L. GIBAVIC

1993

ALICE J. RARIG

1994

TOWN CLERK:

D'Ann Sauer Kelly

1992

Town Clerk's

Business Phone 413-548-9150

Home Phone: 413-548-9797

Clerk's FAX # or

other town office FAX #: NA

If Town Clerk is elected this year, name of individual elected:

Term expires

Home Phone:

Signed by

D'Ann Sauer Kelly

Town Clerk

Please return to the Secretary of State
Elections Division
Room 1705
One Ashburton Place
Boston, MA 02108

617-727-2828 or 1-800-462-8683

TO FAX: 617-742-3238

DOC: Townoff
11/90

LOAN AUTHORIZATION REPORT FORM

Town/District: LEVERETT

INFORMATION CONCERNING ANNUAL) MEETING CALLED FOR April 27, 1991, 19__
~~SPECIAL~~

Article 12 passed on April 27, 1991, 19__ authorizing a loan of
\$ 192,500 for Elementary School, including the costs associated with providing
a new water supply for the Leverett Elementary School.

ATTESTED COPY OF WARRANT:

Posted: Date April 15, 1991 Places* as listed on warrant

Published in newspaper: Date(s) ---

Warrant or notice mailed: Date April 5, 1991

To whom: all residents of the town of Leverett

Additional Notification Requirements: none Were these met? n/a

VOTE COUNT (Unanimous or Actual Vote Count): Yes 134, No 51

SPECIAL REQUIREMENTS FOR ADJOURNED SESSION: none, although adjourned session, held on
Warrant or notice of adjournment: June 12, 1991 was announced in mailing to
all residents sent on June 4, 1991

Posted: Date _____ Places* _____

Published: Date(s) _____ Mailed: Date _____

Additional Requirements _____ Were these met? _____

QUORUM:

Number or percentage required: 5% Was quorum present? yes

Advisory)
Appropriation) Committee meeting posted: Date April 22, 1991
Finance)

If vote subject to referendum, were requirements met? n/a

Is litigation pending which would affect the validity of this vote? no

I hereby certify that this information is
correct to the best of my knowledge.

Diane Susan Kelly
Town or District Clerk

* If Places are Specified by By-Law or Vote, list actual places posted.

LOAN AUTHORIZATION REPORT FORM

Town/District: LEVERETT

INFORMATION CONCERNING ANNUAL) MEETING CALLED FOR April 27, 1991, 19
SPECIAL)

Article 17 passed on April 27, 1991, 19 authorizing a loan of

\$ 31,492.00 for removing and replacing the fuel oil tank at the Elementary School

ATTESTED COPY OF WARRANT:

Posted: Date April 15, 1991 Places* as listed on warrant

Published in newspaper: Date(s) ---

Warrant or notice mailed: Date April 5, 1991

To whom: all residents of the town of Leverett

Additional Notification Requirements: none Were these met? n/a

VOTE COUNT (Unanimous or Actual Vote Count): yes 101, no 2

SPECIAL REQUIREMENTS FOR ADJOURNED SESSION: none, although adjourned session, held on
Warrant or notice of adjournment: June 12, 1991 was announced in a mailing to
all residents sent on June 4, 1991

Posted: Date _____ Places* _____

Published: Date(s) _____ Mailed: Date _____

Additional Requirements _____ Were these met? _____

QUORUM:

Number or percentage required: 5% Was quorum present? yes

Advisory)
Appropriation) Committee meeting posted: Date April 22, 1991
Finance)

If vote subject to referendum, were requirements met? n/a

Is litigation pending which would affect the validity of this vote? no

I hereby certify that this information is
correct to the best of my knowledge.

Ann Sauer Kelly

Town or District Clerk

* If Places are Specified by By-Law or Vote, list actual places posted.

Debt Section
Bureau of Accounts
Division of Local Services
200 Portland Street
Boston, Massachusetts 02114-1715

Tel: 617-727-2300 ext. 509 or 510
FAX: 617-727-6432

TO: The Citizens of Leverett
FROM: Leverett Finance Committee
DATE: April 15, 1991
RE: Predicted Tax Impact of Override and School Proposals

The Leverett Finance Committee has been asked by various Town groups and officials to estimate the impact that the proposed budget override and the purchase of modular classrooms would have on the town's tax rate. This report estimates the impact based on the town's current valuation of \$108,760,893. This rate should change somewhat in FY94 when property will be reevaluated and any additional growth, not currently included, will be added. Moreover, all borrowing figures are based on an eight percent annual interest rate over the five year term of the loan.

OVERRIDE: The impact of an override of \$122,231 on the tax rate would be an increase of \$1.13 per thousand dollars of valuation of your property (or \$113 per \$100,000 valuation). Together with the \$.70 increase due to the 2 1/2 percent increase in the levy limit (including new growth estimates and debt exclusion), this would bring the tax rate to \$14.47 per \$1000 valuation for FY92, compared with \$12.65 now.

BORROWING TO PURCHASE MODULAR CLASSROOMS: If we borrow \$192,500 for the purchase of two modular classrooms at an eight percent interest rate, there will be no impact on the FY92 tax rate because the first payment for borrowed money is due the year after it is borrowed. Since the \$192,500 will be borrowed in FY92, it will not impact the tax rate until 1993. In addition, in agreement with the Capital Planning Committee, the Finance Committee is recommending that only interest be paid for the first two years of the note and then we begin paying interest and premium payments in FY95. The reason for this is that, in 1995, the town will have paid off three of its currently outstanding loans. Therefore, the tax increase between 1994 and 1995 will be very slight -- even if the town valuation remains static. (See the Capital Planning Committee Annual Report as reported in the April 1991 Newsletter.)

With the above information in mind, the cost of borrowing \$192,500 over a five year period would be as follows:

COSTS AND TAX IMPACT OF BORROWING \$192,500 TO PURCHASE MODULAR CLASSROOMS

FY92 FY93 FY94* FY95 FY96 FY97 FY98 FY99 FY00 FY01

5 Year Plan:

Cost Component:

Interest	-- 0 --	15,400	15,400	15,400	12,320	9,240	6,160	3,080	--	--
Principal	-- 0 --	-- 0 --	-- 0 --	38,500	38,500	38,500	38,500	38,500	--	--
Tax Rate Change	-- 0 --	.14	.14	.49	.46	.43	.41	.38	--	--
Tax per \$100,000	-- 0 --	14.20	14.20	49.56	46.83	43.88	41.07	38.38	--	--

7 Year Plan:

Cost Component:

Interest	-- 0 --	15,400	15,400	15,400	13,200	11,000	8,800	6,600	4,400	2,200
Principal	-- 0 --	-- 0 --	-- 0 --	27,500	27,500	27,500	27,500	27,500	27,500	27,500
Tax Rate Change	-- 0 --	.14	.14	.39	.37	.35	.33	.31	.29	.27
Tax per \$100,000	-- 0 --	14.20	14.20	39.44	37.42	35.40	33.38	31.35	29.33	27.30

REMINDER: All tax rate figures are computed at the current (FY91) valuation of property. The valuation is due to change in 1994, 1997 and 2000.

* Other indebtedness will be reduced at this time as loans are paid off, which will offset the tax impact of this loan (FY95 on)

To: The Citizens of Leverett

From: Leverett Finance Committee

RE: Recommendations for Annual Town Meeting Warrant Articles

Date: April 27, 1991

In its various meetings, the Leverett Finance Committee has voted on all the articles which appear on the Town Warrant that deal with financial matters of the town. Below are the recommendations of these deliberations and votes.

Article Eleven: The Omnibus Budget - Recommend

This is the town budget. Even though it does include the necessity for an override, this budget is intended to attempt to maintain at least the same amount of services which the citizens of the Town have come to expect. To vote down this budget would require major reductions in town services.

Article Twelve: Purchasing a two-classroom portable building for the Leverett Elementary School - Recommend

This article requires the borrowing of money for the purchase of the space needed to meet the needs of the elementary school. It is by far the cheapest proposal thus far and the impact on our tax rate would be very minimal.

Article Thirteen: Purchasing a two-classroom portable building for the Leverett Elementary School (raise and appropriate) - Not Recommended

This article requires that the Town impose a one year tax on the citizens for the purchase of a two-room portable classroom. The advantage of this is that it would allow us to purchase the classrooms outright; however, this is outweighed by the fact that there would be a one-year tax increase of approximately \$177/ \$100,000 valuation on property. Such an increase in our tax rate, even for one year seems to be an extreme hardship that need not be imposed on our citizens.

Article Fourteen: Borrowing for the capital costs associated with the leasing of two portable classrooms for the Leverett Elementary School - Recommend

This is an alternative to the purchase of these buildings. While it does provide for the space and it allows the Town to borrow a lesser amount than than requested in Article 12, this would be a leasing agreement and the Town would not own the building. The continued cost of leasing the portable classroom would be included in Article 15.

Article Fifteen: Raise and appropriate funds for the cost of one year's rental of a two-classroom portable building for the Leverett Elementary School - Recommend

This article provides for the funds to pay for the rental. It is necessary to raise and appropriate funds for the rental because we cannot borrow for a non-capital cost such as yearly leasing. If this article is accepted, the cost for leasing the building would be included in the School Committee's budget and not be considered as a separate article in following years.

Article Sixteen: Raise and appropriate funds necessary pay for the capital costs for the leasing of two-classroom portable classrooms for the Leverett Elementary School -Not Recommended

Like Article 13, this Article requests a one-year tax increase to pay for the costs of preparation and installation of a portable building which would be leased. Our argument for not recommending this article are the same as for Article 13, it would impose an unacceptable increase in the tax rate, even if it is for only one year.

Article Seventeen: Borrowing to remove and replace the fuel tank at the Leverett Elementary School - Recommend

It appears that the removal of the fuel tank will be required by the Commonwealth Department of Environmental Protection. If we borrow this money now, we will be able to replace the fuel tank at the school, tap into the same fuel tank for the Department of Public Works, and therefore save money for that project in the long run.

Article Eighteen: Raise and appropriate funds to paint the Town Library - Not Recommended

While the Town Library certainly needs the attention, if we are serious about attempting to keep costs to the tax-payer down, perhaps we should put off the painting of the Library until there are fewer requests for the Town's limited resources.

Article Nineteen: To pay for landfill cover from Free Cash - Recommended

This allocation of funds is necessary to show the DEP that the Town is preparing to meet its requirements for closing the Town dump. This amount of money will be set aside in a separate account specifically marked for this purpose. The dump will remain open, this is simply a matter of accumulating funds for the eventual closing of the dump.

Article Twenty: To transfer \$50,000 from Free Cash to the Reserve Account - Recommend

The reserve Account is needed in order for the Town to transfer funds to the various departments when there are unexpected expenses, or when a certain budget account becomes depleted because of unpredictable circumstances. This is the Finance Committee's "Transfer Fund".

Article Twenty-one: To transfer \$6,000 from Free Cash to repair the Coke Kiln Road - Not Recommended

Once again, in these times of financial hardship the Finance Committee feels that such an expenditure from Free Cash should be delayed for some time. This bridge has been closed for two years now. Most Townspeople who live in North Leverett have adjusted their driving habits to accommodate the closed bridge. Even the school bus routes have been adjusted and this is not a problem any more.

Article Twenty-seven: To provide funds to update the Code of Leverett as published in 1988 - No Position Taken

Article Twenty-eight: To entitle Selectboard to enter into contracts for goods and services for all areas of town government - Recommend

This article streamlines the process of running town government. By allowing the Selectboard to enter into all contracts for the town, it will no longer be necessary for individual departments and committees to be involved in the decision to contract for services.

Article Twenty-nine: To take \$15,000 from Free Cash to balance the budget - Recommend

This amount will be added to our revenue accounts and therefore reduce the amount of the override. By using Free Cash in this manner, the tax rate will not be effected for this year and the amount of the requested override is lower than it otherwise would be.

LEVERETT SCHOOL COMMITTEE

FY 92 BUDGET

FINAL PROPOSAL

4/11/91

LEVERETT ELEMENTARY SCHOOL - APRIL 10, 1991

Account number	Account title	1990 adjusted	1990 expended	1991 adjusted	1992 proposed	difference curr/prop
FUND SOURCE: LEVERETT LOCAL A L02						
FUNCTION: SCHOOL COMMITTEE 1						
L02 LVE/1109-000-40	LEGAL COUNSEL	0	0	0	1000	1000
L02 LVE/1109-000-62	SCHOOL COMMITTEE CONFERENCES	150	0	150	150	0
L02 LVE/1109-000-69	ALL OTHER EXPENSES	150	2196	150	250	100
L02 LVE/1109-000-6C	SCHOOL COMMITTEE ADVERTISING	500	206	500	300	-200
L02 LVE/1209-000-69	CENSUS	55	0	55	55	0
L02 U28/1109-000-40	LEGAL COUNSEL-UNION	54	0	50	134	84
L02 U28/1109-000-42	FINANCIAL AUDIT-GRANTS	0	0	300	536	236
L02 U28/1109-000-60	EDUCATIONAL LEADERSHIP IMPRVMT DUES	373	381	349	374	25
L02 U28/1209-000-10	SUPT'S SALARY	15219	15218	14876	16439	1563
L02 U28/1209-000-11	ASST SUPT SALARY	10097	10096	9869	11065	1196
L02 U28/1209-000-20	SECRETARY'S SALARY	5178	5177	5301	6155	854
L02 U28/1209-000-21	BOOKKEEPERS' SALARY	10216	11027	10207	9994	-213
L02 U28/1209-000-41	MACHINE MAINT CONTRACT	642	508	600	589	-11
L02 U28/1209-000-42	COMPUTER CONTRACTED SERVICES	268	480	450	549	99
L02 U28/1209-000-44	MACHINE RENTAL CONTRACT	81	94	30	54	24
L02 U28/1209-000-50	OFFICE SUPPLIES	588	609	550	643	93
L02 U28/1209-000-51	POSTAGE	855	600	799	777	-22
L02 U28/1209-000-52	PRINTING EXPENSE	214	117	200	214	14
L02 U28/1209-000-53	CLASSIFIED ADS	401	290	375	321	-54
L02 U28/1209-000-62	SUPT'S CONFERENCE EXPENSE	508	293	475	428	-47
L02 U28/1209-000-63	PROFESSIONAL LIBRARY	141	94	132	67	-65
L02 U28/1209-000-64	SUPT'S TRAVEL	568	567	531	569	38
L02 U28/1209-000-66	SUPT'S OUT OF STATE TRAVEL	81	0	75	80	5
L02 U28/1209-000-67	SUPT'S ASST'S TRAVEL	442	441	413	443	30
L02 U28/1209-000-69	OFFICE CONFERENCE EXPENSE	201	91	188	67	-121
function sub-total	SCHOOL COMMITTEE >>	46982	48497	46625	51253	4628
FUNCTION: INSTRUCTION 2						
L02 LVE/2101-000-61	INSERVICE TRAINING	750	584	750	750	0
L02 LVE/2101-000-63	PROF LIBRARY (STAFF)	100	106	100	100	0
L02 LVE/2102-000-10	PRINCIPAL'S SALARY (SPED)	15175	14840	15948	0	-15948
L02 LVE/2102-000-20	CLERICAL SALARY (SPED)	5379	5217	5631	0	-5631
L02 LVE/2102-000-41	OFFICE MACHINE MAINT.(SPED)	920	0	1920	0	-1920
L02 LVE/2102-000-50	OFFICE SUPPLIES (SPED)(SPED)	740	0	840	0	-840
L02 LVE/2102-000-69	PROFESSIONAL EXPENSE (SPED)	170	0	170	0	-170
L02 LVE/2201-000-10	PRINCIPAL'S SALARY	22762	22762	23922	42591	18669
L02 LVE/2201-000-20	CLERICAL SALARY	2069	8372	8447	14607	6160
L02 LVE/2201-000-41	OFFICE MACHINE MAINTENANCE	1380	2049	2880	3700	820
L02 LVE/2201-000-50	OFFICE SUPPLIES	1110	2098	1260	2325	1065
L02 LVE/2201-000-69	PROFESSIONAL EXPENSE	255	274	255	425	170
L02 LVE/2301-000-10	TEACHERS' SALARIES	286559	255167	288966	319275	30309
L02 LVE/2301-000-30	TEACHER AIDES SALARY	31562	28833	44270	47183	2913
L02 LVE/2301-000-40	ORGANIZATIONAL MEMBER	225	330	225	300	75
L02 LVE/2301-000-41	SUBSTITUTES SALARY	2700	3523	2700	3300	600
L02 LVE/2301-000-50	INSTRUCTIONAL SUPPLIES	12700	12310	14200	14400	200
L02 LVE/2301-000-50	KINDERGARTEN SUPPLIES	1200	951	1200	1200	0
L02 LVE/2302-000-17	NURSE'S SALARY (SPED)	3197	3197	8565	8555	-10

LEVERETT ELEMENTARY SCHOOL - APRIL 10, 1991

Account number	Account title	1990 adjusted	1990 expended	1991 adjusted	1992 proposed	difference curr/prop
L02 LVE/2302-000-40	SPED CONTRACTED SERVICES	6800	9895	8000	13500	5500
L02 LVE/2302-000-41	DOCTOR'S SALARY (SPED)	400	395	400	500	100
L02 LVE/2302-000-64	SPECIAL TRAVEL	25	0	25	25	0
L02 LVE/2401-000-50	TEXTBOOKS	1300	1065	1300	1664	364
L02 LVE/2501-000-10	LIBRARIAN SALARY	0	0	0	4742	4742
L02 LVE/2501-000-30	LIBRARY AIDE SALARY	10791	10790	11337	6994	-4343
L02 LVE/2501-000-50	LIBRARY MATERIALS	1000	1033	1000	1000	0
L02 LVE/2601-000-50	AUDIO-VISUAL MATERIALS	1000	844	1000	1000	0
L02 LVE/2802-000-10	PSYCHOLOGIST'S SALARY	12600	12600	13203	14160	957
L02 U28/2101-000-61	INSERVICE - UNION	268	119	250	268	18
function sub-total INSTRUCTION >>)		434137	402362	458764	502564	43800
FUNCTION: OTHER SCHOOL SER 3						
L02 LVE/3101-000-30	ATTENDANCE SALARY	10	0	10	0	-10
L02 LVE/3201-000-10	NURSE'S SALARY (REG)	2733	2826	2855	2852	-3
L02 LVE/3201-000-12	NURSE'S AIDE SALARY	4688	4754	5164	5347	183
L02 LVE/3201-000-41	DOCTOR'S SALARY (REG ED)	100	0	100	100	0
L02 LVE/3201-000-50	HEALTH SUPPLIES	300	340	300	300	0
L02 LVE/3302-000-40	SPED. TRANSPORTATION	3000	2570	1800	12600	10800
L02 LVE/3409-000-69	FOOD SERVICE	2500	0	3500	4000	500
function sub-total OTHER SCHOOL SER >>)		13331	10490	13729	25199	11470
FUNCTION: PLANT OPERATION/ 4						
L02 LVE/4119-000-32	CUSTODIAL SALARIES	26339	27488	28340	30499	2159
L02 LVE/4119-000-50	CUSTODIAL SUPPLIES	2600	2747	2600	2500	-100
L02 LVE/4129-000-66	FUEL	8500	5555	8500	7000	-1500
L02 LVE/4139-000-65	ELECTRIC POWER	12000	12526	12000	13000	1000
L02 LVE/4139-000-68	SCHOOL TELEPHONE	1300	1287	1300	1300	0
L02 LVE/4219-000-69	GROUNDS MAINTENANCE	1960	1871	1960	1960	0
L02 LVE/4229-000-69	BUILDING MAINTENANCE	7500	26680	8000	8000	0
L02 LVE/4239-000-64	MAINTENANCE TRAVEL	400	510	400	450	50
L02 LVE/4239-000-69	EQUIPMENT MAINTENANCE	1500	735	1500	1500	0
L02 U28/4119-000-32	CENTRAL OFFICE CUSTODIAN	266	265	270	296	26
L02 U23/4139-000-63	TELEPHONE-CENTRAL OFFICE	935	862	874	937	63
function sub-total PLANT OPERATION/ >>)		63800	80531	65744	67442	1698
FUNCTION: FIXED CHARGES 5						
L02 LVE/5209-000-61	SCHOOL COMMITTEE INSURANCE	500	1478	500	2000	1500
L02 LVE/5209-000-6S	STUDENT COVERAGE	875	910	875	1000	125
L02 LVE/5309-000-6E	SPACE RENTAL CONTINGENCY	0	0	0	12500	12500
L02 U28/5209-000-6D	DISABILITY INSURANCE	96	95	90	96	6
L02 U28/5309-000-6E	RENT - CENTRAL OFFICE	962	961	899	1018	119
function sub-total FIXED CHARGES >>)		2433	3446	2364	16614	14250
FUNCTION: ACQUISITION/IMPRO 7						
L02 LVE/7309-000-80	ACQUISITION OF NEW EQUIPMENT	0	0	0	5000	5000
L02 LVE/7409-000-80	REPLACEMENT OF EQUIPMENT	0	8019	0	1650	1650
L02 U28/7309-000-80	EQUIPMENT - CENTRAL OFFICE	268	18	250	268	18
function sub-total ACQUISITION/IMPRO >>)		268	8038	250	6918	6668
FUNCTION: PROGRAMS WITH OT 9						
L02 LVE/9102-000-90	SPED TUITION	6500	14067	10500	5000	-5500

PER PUPIL SPENDING - INSTRUCTION ONLY - 1989-1990

Preliminary Figures for Selected Area School Districts

Franklin Tech (9-12 Voc)	\$6,094.07	Hatfield (K-12)	\$2,830.72
Amherst-Pelham (7-12)	4,390.12	Conway (K-6)	2,652.44
Amherst (K-6)	3,939.23	Deerfield (K-6)	2,482.87
Pioneer (7-12)	3,561.12	Sunderland (K-6)	2,424.95
Frontier (7-12)	3,265.57	Leverett (K-6)	2,271.46
Pelham (K-6)	3,238.82	Belchertown (K-12)	2,172.78
Erving (K-6)	3,204.24	Shutesbury (K-6)	2,153.92
Hadley (K-12)	3,158.48	Orange (K-6)	1,981.84
Greenfield (K-12)	2,942.52	New Salem/Wendell (K-6)	1,937.51

These figures are drawn entirely from what is called the 2000 accounts in the several education budgets. They include the cost of teachers, principals and other non-central office administrators, instructional supplies, as well as such other instruction-related accounts as libraries, guidance services, and psychological services.

These figures do not include central office administration, transportation, plant maintenance, such fixed costs as health or other insurance, the purchase of equipment or any other capital expenses, or out-of-district tuition costs.

SALARY COMPARISONS FOR SELECTED AREA SCHOOL DISTRICTS

BACHELORS						
Step	Leverett	Gill-Montague	Union *38 *	NS/W	Shutesbury	Amh/Pelham
1	\$19,089	\$18,860	\$19,934	\$19,499	\$20,693	\$20,867
2	\$20,043	\$19,641	\$20,532	\$20,207	\$21,833	\$21,904
3	\$20,998	\$20,420	\$21,148	\$20,835	\$22,973	\$22,946
4	\$21,952	\$21,200	\$21,782	\$21,359	\$24,113	\$23,987
5	\$22,907	\$21,978	\$22,436	\$21,778	\$25,254	\$25,025
6	\$23,861	\$22,755	\$23,109	\$22,301	\$26,393	\$26,129
7	\$24,816	\$23,536	\$23,802	\$22,982	\$27,533	\$27,237
8	\$25,770	\$24,316	\$24,516	\$23,662	\$28,673	\$28,341
9	\$26,725	\$25,095	\$25,252	\$24,657	\$29,813	\$29,447
10	\$27,679	\$25,875	\$26,009	\$25,652	\$30,953	\$30,552
11	\$28,634	\$26,654	\$26,790	\$26,646	\$32,093	\$31,657
12	\$29,588	\$29,294	\$27,593	\$27,641	\$33,244	\$33,078
13		\$30,010	\$28,421	\$28,635		\$34,068
14	\$30,542	\$30,844	\$29,274			
15		\$31,675		\$29,892		
16						
17						
18				\$30,887		
MASTERS						
Step	Leverett	Gill-Montague	Union *38 *	NS/W	Shutesbury	Amh/Pelham
1	\$19,513	\$19,754	\$21,148	\$20,783	\$21,662	\$22,429
2	\$20,468	\$20,533	\$21,782	\$21,411	\$22,802	\$23,467
3	\$21,422	\$21,312	\$22,436	\$22,039	\$23,942	\$24,509
4	\$23,377	\$22,094	\$23,109	\$22,563	\$25,082	\$25,550
5	\$23,331	\$22,870	\$23,802	\$22,982	\$26,222	\$26,587
6	\$24,285	\$23,650	\$24,516	\$23,505	\$27,361	\$27,693
7	\$25,240	\$24,428	\$25,252	\$24,186	\$28,501	\$28,795
8	\$26,194	\$25,210	\$26,009	\$24,866	\$29,642	\$29,904
9	\$27,149	\$25,987	\$26,790	\$25,861	\$30,782	\$31,008
10	\$28,103	\$26,767	\$27,593	\$26,856	\$31,922	\$32,115
11	\$29,058	\$27,546	\$28,421	\$27,850	\$33,062	\$33,218
12	\$30,012	\$30,248	\$29,274	\$28,845	\$34,202	\$34,326
13		\$30,879	\$30,152	\$29,840		\$35,809
14	\$30,967	\$31,794	\$31,057			\$36,798
15		\$32,625		\$31,096		
16						
17						
18				\$32,091		

LEVERETT SCHOOL COMMITTEE: SPACE NEEDS AT THE ELEMENTARY SCHOOL

The School Committee feels more than ever the pressing need for more space at the school. With the tightening economy, we feel that the most feasible option at this time is a two-classroom modular (or portable) unit. This year, enrollment has increased to 171 students, grades K-6. Next year we will have 183 (based on known numbers at 4/1/91). We have accommodated our need for 8 classrooms in our 7-classroom building this year by renting space in Sunderland. Without portable classrooms next year we will either have to rent 2 classrooms out-of-town or, if we house all K-6 in the elementary school, we will have to consider making 3 classrooms out of 2 in the 1976 wing. We will also have to use either the school library or the small basement resource area as a classroom. With added portable classrooms the school committee would not expect to be looking at more permanent additions to the school for the next five years.

The least expensive location for a modular unit is on the hardtop next to the gym. The unit would comprise two classrooms, two required accessible bathrooms, a ramp-walkway connector to the school entrance, and basic equipment needed for school use. Our goals would be to obtain the most usable space for the least cost and to provide the Town with options for how to obtain that space.

The estimated capital costs are:

- Designer services (a statutory requirement; in school operating budget) \$7,000
- Provision of a new well/water supply (mandatory) \$70,000
- Transport. and install. of unit, incl. site prep. & utilities (rental option) \$30,000
- Outright purchase cost of unit, incl. all costs in above line (no rental) \$123,500

The estimated recurring non-capital costs are:

- Annual rental (only if we do not purchase) yr 1 \$40,000; yrs. 2-5 reducing to \$18,000
- Annual fuel costs, heating & cooling, lighting (in school operating budget) \$4,500

The Town Warrant Articles represent different ways of obtaining the modular unit. They are listed in order of preference, with strong support for the first option from School Cttee., Capital Planning Cttee., Finance Cttee. and Selectboard. As soon as one article or combination of articles passes, we will pass over the remaining ones. We felt it important for voters to understand and decide among the options that exist.

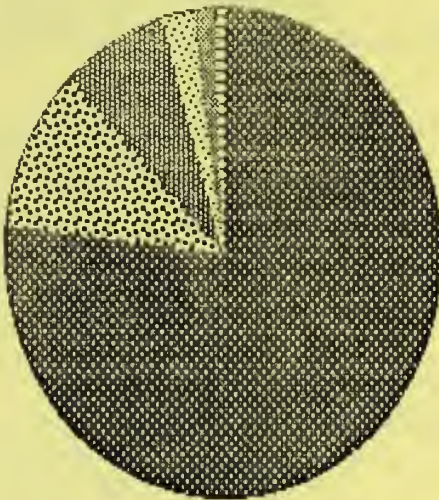
TAX IMPACTS DERIVED FROM CAPITAL PLANNING COMMITTEE IMPACT TABLES

Warr. Art.	Sum	Plan	Funding Source (notes (a),(b) below)	Vote req'd	Tax Impact FY92, per \$100,000 value	Tax Impact FY93 and after, per \$100,000 value
*12	\$192,500	Purchase	Borrow (a)	2/3maj	None	\$14 (FY93), \$14 (FY94), then \$39 reducing over 5 yrs.
*13	\$192,500	Purchase	Raise & Approp. (b)	maj.	\$177	None
*14	\$99,000	Rent (Cap'l costs)	Borrow (a)	2/3maj	None	\$91 reducing over 5 yrs.
*15	\$40,000	Rent (1st yr rental)	Raise & Approp. (b)	maj.	\$37	\$17 p.a. for rem. of 5yr lease
	\$139,000	Rent (Cap'l costs & 1st yr rental)	Raise & Approp. (b)	maj.	\$128	\$17 p.a. for rem. of 5yr lease

(a) Paid over 5 to 7 years

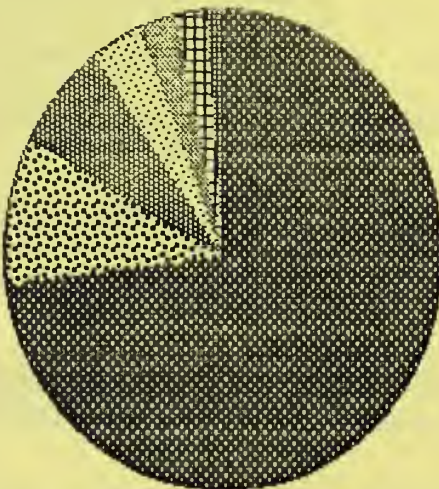
(b) Paid in 1 year (FY92)

LEVERETT FY91 BUDGET



■ Instruction	76.7%	\$458,764
■ Plant Operation	11.0%	65,744
■ School Committee and Administration	7.8%	46,625
■ Other School Services	2.3%	13,729
■ Programs with Other Districts	1.8%	10,500
■ Fixed Charges	0.4%	2,364
■ Acquisition of Equipment	0.0%	250
	<u>100.0%</u>	<u>\$597,976</u>

LEVERETT PROPOSED BUDGET FY92



■ Instruction	73.1%	\$502,564
■ Plant Operation	9.8%	67,442
■ School Committee and Administration	7.5%	51,253
■ Other School Services	3.7%	25,199
■ Programs with Other Districts	2.6%	17,682
■ Fixed Charges	2.4%	16,614
■ Acquisition of Equipment	1.0%	6,918
	<u>100.0%</u>	<u>\$687,672</u>

AREA	FINAL BUDGET FY 90	FINAL BUDGET FY 91	PROPOSED BUDGET FY 92
<u>1000 ADMINISTRATION</u>	\$	\$	\$
Leverett Elementary	855	855	1,755
Share of Union #28	46,127	45,770	49,498
Sub-Total	46,982	46,625	51,253
<u>2000 INSTRUCTION</u>			
Salaries:			
Principal	22,702	23,922	25,555
SPED Administrator	15,175	15,948	17,086
Clerical	13,448	14,078	14,607
Teachers	286,559	288,966	319,275
Aides	31,562	44,270	47,183
Substitutes	2,700	2,700	3,300
Librarian	10,791	11,337	11,736
Doctor, Nurse, Psychologist	21,197	22,168	23,215
Instructional Supplies	15,900	17,400	17,600
Textbooks	1,300	1,300	1,664
Other	12,475	16,425	21,125
Share of Union #28	268	250	268
Sub-Total	434,137	458,764	502,564
<u>3000 OTHER SCHOOL SERVICES</u>			
Transportation:			
Regular	0	0	0
SPED	3,000	1,800	12,600
Food Service	2,500	3,500	4,000
Other	7,831	8,429	8,599
Sub-Total	13,331	13,729	25,199
<u>4000 PLANT OPERATION</u>			
Custodian & Assistant	26,839	28,340	30,499
Fuel	8,500	8,500	7,000
Power	12,000	12,000	13,000
Share of Union #28	1,201	1,144	1,233
Custodial Supplies	2,600	2,600	2,500
Telephone	1,300	1,300	1,300
Building Maintenance	7,500	8,000	8,000
Ground, Equipment, Other Maintenance	3,860	3,860	3,910
Sub-Total	63,800	65,744	67,442
<u>5000 FIXED CHARGES</u>			
Insurance & Other Local Costs	1,375	1,375	15,500
Central Office Rent & Costs	1,059	989	1,114
Sub-Total	2,433	2,364	16,614
<u>7000 ACQUISITION OF EQUIPMENT</u>			
Acquisition of Equipment	268	250	6,918
Sub-Total	268	250	6,918
<u>9000 PROGRAMS WITH OTHER DISTRICTS</u>			
Tuition	6,500	10,500	17,682
Sub-Total	6,500	10,500	17,682
Total	\$567,451	\$597,976	\$687,682

TOWN OF LEVERETT ANNUAL TOWN MEETING
Saturday, April 27, 1991
LEVERETT SCHOOL COMMITTEE
REPORT ON STATUS OF FY91 CAPITAL PROJECTS
FUNDS APPROPRIATED 4/28/90 \$125,500

1 VENTILATION REHABILITATION Original Budget \$36,000 Revised Budget \$85,500

The original budget was for a partial rehabilitation involving repairs to the defunct supply and exhaust systems. The decision to change to a full rehabilitation followed the consultant's report: replacement would be more cost effective and parts for old units hard to obtain. More important, the partial scheme would have left the school at risk of still unreliable air quality, for which it would no longer be grandfathered. Codes also required the basement areas to be added to the project. Work is now in an advanced stage nearing completion.

2 SPECIAL EDUCATION SPACE Original Budget \$22,000 Revised Budget \$13,000

The space was created by remodeling much of the basement area and adding some facilities in the cafeteria to enable it to be used for art teaching. Costs were reduced in several ways, including help from volunteers and the work of a small subcommittee set up by the school committee to advise the administration, along with creative design ideas from several individuals in the community.

3 ELECTRICAL SAFETY Original Budget \$15,000 Revised Budget \$15,000

Issues being dealt with include the replacement and amalgamation of separate outdated service panels, provision of modern contact breakers, extensive wiring work, addressing lighting inadequacies and some fire-safety related work.

4 RADON MITIGATION Original Budget \$10,000 Revised Budget \$1,000

Potential costs were reduced because the more expensive construction measures proved not to be necessary. A ventilation (fan extractor) method, independent of the regular building ventilation system, has been successfully installed.

5 FUEL TANK REPLACEMENT Original Budget \$40,000 Revised Budget \$8,450

The school committee decided that additional funds of \$35,000 would be needed (Warrant Article at 1991 Annual Town Meeting) as a result of the increase in the Ventilation Rehabilitation costs (see 1, above). During the year new regulations have been passed into law which promise 100% reimbursement over a ten-year period of the entire costs of the project.

The new \$35,000 will be added to the \$4,000 spent on design and the \$4,450 remaining from FY 91, making a total budget of \$43,350 to cover estimated costs, if the bidding climate stays favorable.

The tank will be tested regularly for leaks until it is replaced. Its new location must be on the surface (aquifer zone) and its size and location can be planned to help with other nearby Town building needs, if desired.

6 EGRESS, 5TH GR ROOM Original Budget \$2,500 Revised Budget \$2,500

The work was not attempted earlier because of fall '90 addition planning. It will next be possible after the current school year. It is hoped that the volunteer team can be helpful on this project.

*A grant has been applied for to support 67% reimbursement of the costs of the Ventilation rehabilitation
A grant will be applied for under the new Fuel Tank replacement grant regulations.*

(APPROPRIATION \$125,500, ARTICLE #9 AT APRIL 28, 1990 TOWN MEETING)

LEVERETT SCHOOL COMMITTEE: INFORMATION FOR TOWN MTG., APRIL 27, 1991

	First Budget Apr 28, 1990 for Town Mtg.	Revised Budget	Current Status Apr 18, 1991	Expended Year-to-date
1 Ventilation Rehabilitation	\$36,000	\$85,550 Incl. Design	Contract \$76,600 Design \$8,950 Work in Progress	\$25,900
2 Special Education Space Provision	\$22,000	\$13,000	Substantially complete	\$11,568
3 Electrical Safety	\$15,000	\$15,000	Work in Progress	\$4,377
4 Radon Mitigation	\$10,000	\$1,000	Substantially complete	\$753
5 Fuel Tank Remove/Replace	\$40,000	\$8,450	Design substantially complete	\$2,000
6 Add'l Egress 5th Gr. Room	\$2,500	\$2,500	Planning	\$0
TOTALS	\$125,500	\$125,500		\$44,598

- Note 1 Orig. Budget for partial project, need became for full project
Bidding twice reduced first low bid by \$10,200 (new low bid \$76,600)
Design \$8,500 plus Re-bid cost \$450 (Consultants: EAC-Craig Meadows)
- Note 2 Pump room: some additional work required
- Note 3 Work based on Archit. Rosenfeld's consultant reports, updated for FY91
- Note 4 Consultant: Bill Bell, State Radiation Officer (no costs)
- Note 5 Design fees \$4,000; additional \$35,000 requested for FY92
- Note 6 Volunteer participation will help keep costs down

GRANT REIMBURSEMENTS: (status April 18, 1991)

Fuel Tank: entire costs reimbursable over 10 yrs. under new regs.
(appl'n possible after 7/1/91)

Ventilation, Radon, Fuel Tank + part of Electrical: applied for SBAB 67%
reimbursement (appl'n date Oct'90)

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Sub-Total	6,500	10,500	17,682
Total	\$567,451	\$597,976	\$687,682

Expenditure and Revenue Summary
(assumes borrow to finance modulars)

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EXPENDITURES

Total operating budget	1,858,447
Overlay	20,000
State/County assessments	30,000
Education offset CS	1,324
Library offset	1,882
Art. 18 R/A paint library	2,800

TOTAL (on tax rate)	1,914,453
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REVENUE

Local receipts	155,100
State aid	170,700
Levy Limit	1,451,422
Free Cash to reduce tax rate	15,000

TOTAL	1,792,222
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DEFICIT

1,914,453 - 1,792,222 = 122,231 This amount needed to balance the budget

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OTHER EXPENDITURES

Reserve account	50,000	Free Cash
Landfill cover	15,000	" "
Code update	1,540	" "
Coke Kiln Bridge	6,000	" "

April 17, 1991

Free Cash & Stabilization Balances
Before and After Town Meeting

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FREE CASH

Balance before town meeting	243,537
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Proposed uses:

Landfill	15,000
Reserve	50,000
Code	1,540
Coke Kiln Bridge	6,000
Reduce tax rate	15,000

TOTAL	<u>87,540</u>
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Balance after town meeting	155,997	= 8.4% of operating budget
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Note: Free Cash may be increased in Fy 92 by the \$20,250 reimbursement from Rattlesnake Gutter land purchase and ± \$30,000 from the Fy 91 Reserve.

This would bring the Free Cash balance up to ± 206,247 which is 11.1 % of the operating budget.

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STABILIZATION

Balance before town meeting	192,000
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No expenditures are proposed from Stabilization.

TOWN OF LEVERETT FY92 Budget

account #

113-5100	Town Meeting salaries	200
113	Town Meeting expenses	245
114-5100	Moderator salary	50
122-5100	Selectmen salaries	10477
122	Selectmen expenses	2260
124-5100	Administrative Assistant salaries	16520
124	Administrative Assistant expenses	3598
131	Finance Committee	95
132	Capital Planning	100
135	Audit	2700
141-5100	Assessors salaries	3848
141	Assessors expenses	950
142	Revaluation	8000
145-5100	Treasurer salaries	7938
145	Treasurer expenses	3600
146-5100	Collector salaries	6720
146	Collector expenses	2032
151	Town Counsel	7500
161-5100	Town Clerk salaries	6050
161	Town Clerk expenses	1670
162-5100	Elections salaries	240
162	Elections expenses	100
163-5100	Registrars salaries	170
163	Registrars expenses	50
171-5100	Conservation Commission salaries	525
171	Conservation Commission expenses	875
175	Planning Board	1350
176	Zoning Board of Appeals	125
192-5100	Building Maintenance salaries	2205
192	Building Maintenance	8425
193	Building Insurance	7107
194	Auto Collision/Comprehensive	2322
195	Town Report	1750
198-	Newsletter	1120

100 TOTAL GENERAL GOVERNMENT

110917

210-5100	Police salaries	32190
210	Police expenses	21600
220-5100	Fire salaries	8785
220	Fire expenses	11549
231-5200	Ambulance	8829
241-5200	Building/Plumbing/Electrical Insp	13358
249	Animal Inspector expenses	100
291	Civil Defense	25
292-5100	Dog Officer salaries	650
292	Dog Officer expenses	90
299	Tree Warden expenses	1500

200 TOTAL PUBLIC SAFETY

98676

300	School, Elementary	687672	
310	School, Regional	556689	
302-5100	School Committee salaries	250	
	300 TOTAL EDUCATION		1244611
422-5100	Highways salaries	59618	
422	Highways expenses	57595	
423-5100	Snow and Ice salaries	8136	
423	Snow and ice expenses	12500	
424	Street Lights	2586	
439-5100	Landfill salaries	1997	
439	Landfill expenses	25920	
491	Cemetaries	1125	
	400 TOTAL PUBLIC WORKS		169477
510-5100	Board of Health salaries	1200	
510	Board of Health expenses	625	
519-5200	Health Agent	6405	
541	Council on Aging	340	
543-5200	Veterans Agent	3259	
	500 Total Human Services		11829
610-5100	Library salaries	6230	
610	Library expenses	2345	
630-5100	Recreation salaries	4000	
630	Recreation expenses	516	
691	Historical Commission	150	
692	Harvest Festival	50	
	600 TOTAL CULTURE & RECREATION		13291
710	Debt Principal	66500	
751	Debt Interest	19286	
	700 TOTAL DEBT SERVICE		85786
911-5100	Franklin County Retirement	34618	
912-5100	Workers Comp	12771	
913-5100	Unemployment	5000	
914-5100	Health Insurance	48000	
915-5100	Life Insurance	360	
916-5100	Medicare	5800	
945	Liability Insurance	17311	
	900 TOTAL MISCELLANEOUS		123860
	TOTAL		1858447

LEVERETT PLANNING BOARD

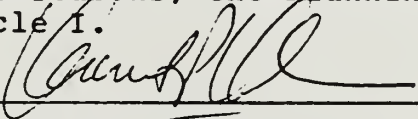
REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE I

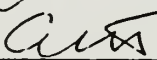
March, 27, 1991

Article I would amend the Leverett Zoning By-Laws by introducing a new numbering system and a new framework to the regulations. Our current by-laws have been amended several times in recent years. The result has been somewhat confusing. By adopting Article I, the Town Meeting would establish a more modern and understandable format for the by-laws.

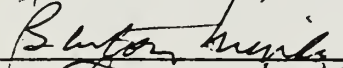
It is important to note that the bulk of Article I is simply a renumbering or a rewording of Leverett's existing zoning. In some instances (for example, Section 2250 regarding nonconforming uses), the by-laws have simply been modernized to refer to the state law governing the topic. Some sections (for example, Section 2330 regarding rear lots) have been lifted intact and merely renumbered. In other instances (for example, the Aquifer Protection District of Section 4300) the rules have been rewritten, without changing the substance of the by-law, to make a more understandable package. However, several new provisions are included in Article I. These new regulations include Section 3420 regarding disturbances, Section 2242 regarding the keeping of animals except in agricultural activity, and Section 3430 regarding landscaping of commercial premises.

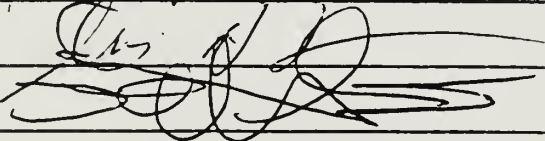
The Planning Board has assembled Article I to serve as the backbone of the new Zoning By-laws. It is primarily a "house-keeping" by-law, without major changes or controversies. For these reasons, the Planning Board unanimously urges adoption of Article I.


_____, Chairman









LEVERETT PLANNING BOARD

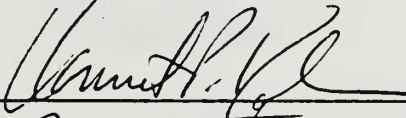
REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE II

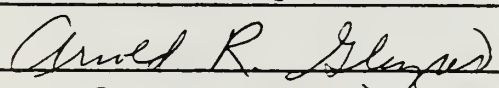
March 27, 1991

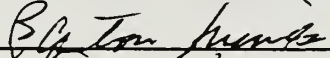
Article II of the proposed Leverett Zoning By-Laws establishes a "use schedule" for the first time. The existing by-laws list available uses, district by district, within the body of the text. This format has proven to be awkward and confusing. The proposed use schedule of Article II would provide a simple chart of available uses in the various zoning districts of the town.

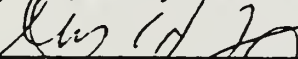
Of course, the use schedule also makes clear choices as to the location of particular uses in particular districts. For the most part, the entries in the use schedule reflect existing Leverett zoning regulations. In a few instances, new entries have been added to the use schedule (see "sawmill," for example). The Planning Board is of the opinion that the entries in Section 2230 represent an appropriate course for the development of the Town's future.

For the above reasons, the Planning Board unanimously recommends the enactment of Article II.


_____, Chairman











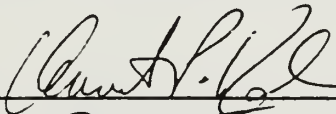
LEVERETT PLANNING BOARD

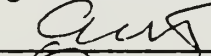
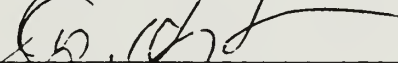
REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE III

March 27, 1991

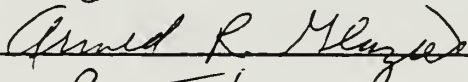
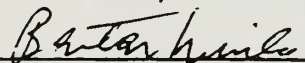
Article III of the proposed by-laws establishes a dimensional schedule to be included at Section 2340. The dimensional schedule is, for the most part, a statement of the existing Leverett regulations. The schedule has been expanded to include reference to the Aquifer Protection District's larger lot size, height limitations, and minimum open space. The schedule also increases the minimum frontage and lot size for two family structures.

For the above reasons, the Planning Board unanimously recommends the enactment of Article III.

 , Chairman



LEVERETT PLANNING BOARD

REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE IV

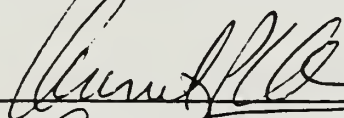
March 27, 1991

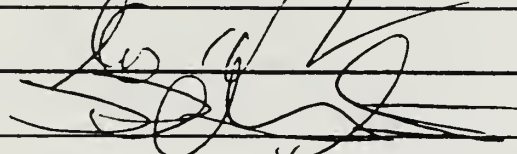
Article IV establishes a new "accessory apartment" by-law. An accessory apartment is defined as a small (less than 800 square ft.) dwelling unit within an existing single-family home. It would not convert such a residence to a two-family or duplex structure. The purpose of the accessory apartment by-law is to generate additional dwelling units in Leverett, with a minimum of red tape and expense, for low or moderate income residents. The availability of accessory apartments should give single people, single parents with small children, and in particular, the elderly, a greater opportunity to stay in Leverett.

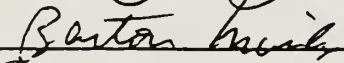
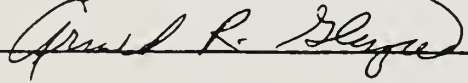
The accessory apartment or the principal residence must be occupied by the owner of the premises. It must conform to the Board of Health's regulations for on-site wastewater disposal and the state building code. Changes to the appearance of the single-family structure must be minimized by screening and stairways and limiting the expansion of any building.

Finally, the accessory apartment is available only on a special permit from the Board of Appeals. If a permit is granted, it shall expire after two years, but it may be renewed upon a simple showing to the Board that conditions have not changed since the original application.

For the above reasons, the Planning Board unanimously recommends the enactment of Article IV.


_____, Chairman

LEVERETT PLANNING BOARD

REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE V

March 27, 1991

Article V renumbers existing Section VI.B regarding drive-ways and substantially keeps its language intact. The only significant change to the existing by-law is in a clarification of the special permit decision criteria for:

- * Driveways within ten feet of a lot side line (Section 3511);
- * driveways more than five hundred (500) feet in length (Section 3512); and
- * driveways with a grade in excess of 8% at the intersection with a public way (Section 3513)

The existing by-law places the construction of such drive-ways on special permit; however, the by-law is allegedly unclear as to whether all of the criteria for special permits should be applied. These include environmental and fiscal analyses. In order to eliminate any possible confusion, proposed Article V would limit the special permit review to an assessment of "safe and reasonable access for all vehicles."

For the above reasons, the Planning Board recommends the enactment of Article V.

_____, Chairman

Ans

Armed R. Slagter

Barton

W. J. D.

LEVERETT PLANNING BOARD

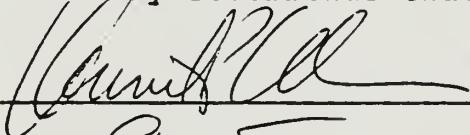
REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE VI

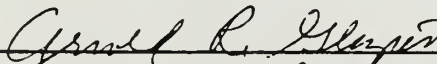
March 27, 1991

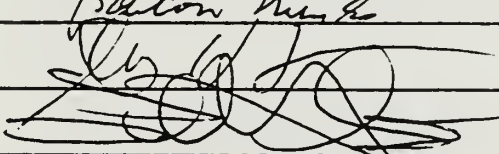
Article VI of the proposed Zoning By-laws replaces the existing Stream and Lake Protection District of Section IV.D and V.D. The format of the new by-law is consistent with the other resource overlays, including flood plain and aquifer protection.

Furthermore, the new by-law expands the protection of "major" streams and Leverett's ponds to a setback of 100 feet from the bank or shore. "Minor" streams are still protected, as they are now, for a distance of 50 feet from their banks.

For all of the above reasons, the Leverett Planning Board unanimously recommends enactment of Article VI.


_____, Chairman
Chris



Barton


LEVERETT PLANNING BOARD

REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE VII

March 27, 1991

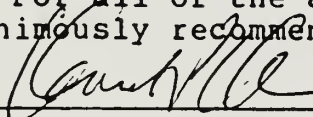
Article VII of the proposed by-laws establishes a new "flexible development" procedure for residential subdivisions. The purpose of the by-law is to provide developers a third alternative in the creation of new lots. In addition to orthodox subdivisions and the development of front lots through the "Approval Not Required" process, landowners could elect the option of flexible development through Section 4800. It is important to note that Section 4800 adds to the alternatives for a developer, and in no way restricts or limits any rights currently available under law.

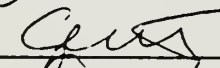
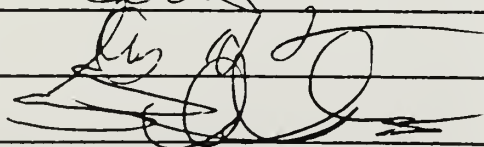
The purpose of flexible development is to preserve the open space within a development space in a sensitive and usable manner. Instead of imposing rigorous lot size, setback, and other dimensional requirements, Section 4800 relaxes strict rules to promote better site design. The goal of flexible development is to site the homes on smaller lots, thus leaving more of the parcel for open space. A minimum of 30% of the entire parcel must be left as contiguous open space in order to satisfy the by-law. It is also an objective of flexible development to preserve those attributes of the site most unique or attractive: agriculture, archeology, forested areas, and the like.

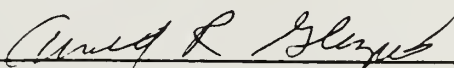
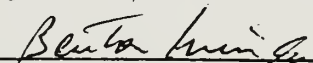
The applicant for flexible development is only authorized to place on the parcel dwelling units equal to the number of single family homes that could be constructed on the site under all applicable rules and regulations. However, the Planning Board may authorize an increase of up to 15% of the number of dwelling units where the applicant proposes to restrict units for families of low or moderate income.

Any flexible development requires a special permit from the Planning Board. Before a permit is issued, the Board must review soil conditions, road layout, parking, drainage, wetlands, and building plans to ensure that design is appropriate.

For all of the above reasons, the Leverett Planning Board unanimously recommends enactment of Article VII.

 _____, Chairman

 _____
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LEVERETT PLANNING BOARD

REPORT TO THE ANNUAL TOWN MEETING ON ZONING ARTICLE VIII

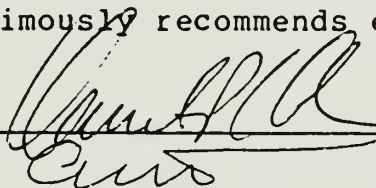
March 27, 1991

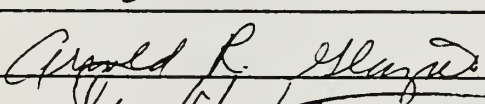
Article VIII establishes site plan review for any new construction in a residence district at an elevation greater than 50 feet vertical above any public way on which the land abuts, or, in the case of a lot located within a subdivision, greater than 50 feet vertical above any public way on which any portion of the subdivided parcel abuts.

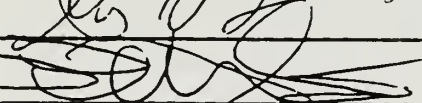
Leverett's hillsides have recently sprouted a number of new homes. Where these homes are placed in clear-cut areas on the hillside, or along the ridgeline, they serve to interrupt views available from publicly accessible locations, including our roads. In order to minimize this trend, while recognizing the right of landowners to develop their property, Section 4700 attempts to set forth reasonable design objectives for new structures in upper elevations.

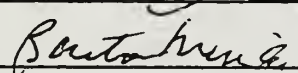
The limits of site plan review apply to Section 4700. The review process cannot be used to deny an application for construction (unless it is incomplete); site plan review may be used to suggest reasonable conditions on development. The Board may not require the planting of trees unless the landowner removed trees in site preparation.

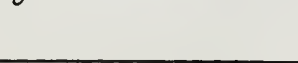
For all of the above reasons, the Leverett Planning Board unanimously recommends enactment of Article VIII.

 Chairman









Thank you to...

*Contributors to the Purchase of the
Long Hill Natural Area*

(as of April 25, 1991*)

Cornelius and Irene Robb	Janine Roberts
Dean and Barbara Alfange	Natalya Weinstein Roberts
Don and Phyllis Pennell	Reva Mae Rarig
Linda Lowry	Rae Andre
James Flynn	The Daviau family
Sharon Howards	Andrea Ahrens
Claudette Boudreau	George Danziger
Ruth Rae	James DeVecchi
James and Elizabeth Douglas	Diana Campbell
Suzanne Timmerman	Allen Guttman
Sol and Elaine Barkin	Winifred D. Sayer
Cynthia Thomas Kimmel and Roy Kimmel	Ken and Laurel Kahn
The Rosewarne Family	Andrew Sheffey
Aroldo Kaplan	Edith and Kendrick Heath
Edith and Carlyle Field	Frederic L. Cheyette
David and Mary Field	Amy Kahn and Jeff McQueen
Fenna Lee Bonsignore	Rema Boscov
Stephen and Laura Coelen	William and Georgette Healy
Ed and Libby Klekowski	James Humphreys
Wilva Connelly	Thomas Turkington
Alice Rarig	Sam Bowles
Brooke and Shirley Thomas	Jackie McNeal
Athur E. and Elizabeth Carlisle	Patricia and Edward Thiebe
Healen H.H. Kimmel	Bashir and Naz Mohammed Ahamed
Charles Dauchy and Judy Weinthal	Lawrence and Rachel Farber
Justine Perry	C. Kay Smith
Hope and Hugh Davis	Fred Hartwell family
Robert and Evelyn Schuyler	The Kestrel Trust
The Rattlesnake Gutter Trust	The Valley Land Fund

* Many others have provided physical and moral support. Several individuals and families have pledged future contributions as well as time and energy to help with cleanup and trail work. Those who have supported the Rattlesnake Gutter Trust, the Valley Land Fund and the Kestrel Trust in the past are all contributors as well.

1890

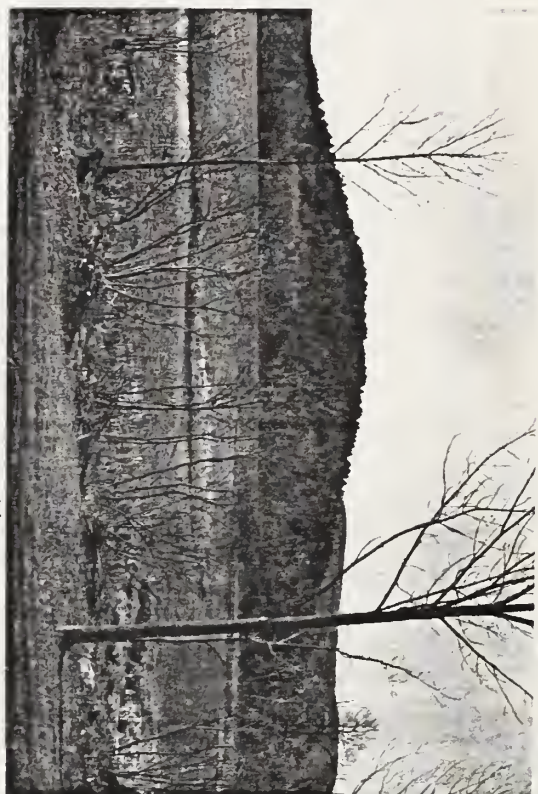
to

1991



Echo Lake & Surrounding Mountains *Leverett, Mass.*

View north from "Tinker's Hill" (now Klekowski/Schuyler property) toward Long Hill about 1890 - 100 years ago. (Courtesy David Field)



Residents rally 'round a hilltop

DAVID HAMSHIRE GUTTER, SYDNEY APRIL 1991

Long Hill and Leverett Pond/Echo Lake looking north from Depot Road, April 1991.

JOIN US IN MAKING A DREAM COME TRUE!

The dream of preserving the "hill behind the pond" in its undeveloped state and making the area accessible to all townspeople is about to come true. It will soon be secured for enjoyment of the natural beauty of the surroundings, recreational uses like walking and cross country skiing, and environmental and nature study. The owners have agreed to sell the hill to the Valley Land Fund (VLF), which will then give the area to a land trust or the Leverett Conservation Commission to maintain in its natural state. We expect to ask the Rattlesnake Gutter Trust (RGT) to participate in overseeing the area.

A group of Leverett residents going under the name of the Long View Alliance has worked hard over the past two months and with crucial assistance from the Rattlesnake Gutter Trust has raised almost all the necessary funds. We are about to write a joyous conclusion to what has been a long, difficult and expensive conflict.

Fifty five families from all over town have contributed amounts ranging from \$25 up. But we are not quite there yet. We are \$7,600 short of the purchase price of \$105,000.

Contributions are fully tax deductible and may be made to either the Valley Land Fund or the Rattlesnake Gutter Trust, earmarked for the Long Hill Project. (If you are sending contributions, please send VLF donations to Alice Rarig, 34 Long Hill Rd., and RGT donations to Annette Gibavic, Rattlesnake Gutter Rd.) If you would like further information, you may call Terry Blunt of the Valley Land Fund, Dave Field of the Rattlesnake Gutter Trust, or Sam Bowles, Roy Kimmel, Ken Kahn, Alice Rarig, or Irene or Cornelius Robb of the Long View Alliance.

SPECIMEN TOWN BALLOT

To vote, mark an ☒ in the appropriate box. Mark only one box for each article.

Article One: Shall the Town of Leverett be allowed to assess an additional \$116,761 (ONE HUNDRED AND SIXTEEN THOUSAND, SEVEN HUNDRED AND SIXTY-ONE DOLLARS) in real estate and personal property taxes for the purposes of providing for the General Administration, Town Committees, Protection of Persons and Property, and Schools of the Town of Leverett for the fiscal year beginning July First, Nineteen Hundred and Ninety-One.

YES ☒ 455

NO ☒ 346

Article 11

Article Two: Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amounts required to pay for the bond issued in order to pay capital costs associated with purchasing a two-classroom portable building for the Leverett Elementary School, including the costs associated with providing a new water supply for the Leverett Elementary School.

YES ☒ 517

NO ☒ 283

Article 12

Article Three: Shall the Town of Leverett be allowed to exempt from the provisions of Proposition 2 1/2, so-called, the amounts required to pay for the bond issued in order to pay to remove and replace the fuel oil tank at the Leverett Elementary School.

YES ☒ 566

NO ☒ 231

Article 13

ARTICLE	TOTAL EXPENDITURES	RAISE/ APPROPRIATE	Fy 92	FREE CASH	STABILIZATION	BORROW
11 Operating	~~1,858,447~~ 1,852,977	~~-1,858,447-~~ 1,852,977				
12	192,500					192,500
17 fuel tank	~~-35,000-~~ 31,492				3508 - Real estate	~~35,000-~~ 31,492
18 paint library	2,800	2,800				
19 landfill	15,000			15,000		
20 reserve acc't	50,000			50,000		
21 Coke Kiln bridge	6,000	~~-6,000-~~		6,000		
26 Code update	1,540			1,540		
29 reduce tax rate	15,000			15,000		
TOTAL	2167309	~~-188077-~~ 1,855,777		87540	3508	223992



MEETING WAS DISSOLVED BY THOSE VOTERS IN ATTENDANCE. THERE HAD BEEN A SEVERE SNOWSTORM THE NIGHT BEFORE AND IT WAS FELT THAT NOT ALL WHO WANTED TO ATTEND WERE ABLE TO BE PRESENT.

LEVERETT SPECIAL TOWN MEETING WARRANT

January 12, 1991

Franklin, SS.

To one of the Constables of Leverett
GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, that a Special Town Meeting shall be held at the Elementary School at said Leverett on Saturday, the twelfth day of January, 1991 at 9:30 a.m. in the morning then and there to act on the following articles, namely:

Article One: To see if the Town will vote to amend the Leverett Zoning By-Laws by reverding the "Purpose Clause" and renumbering said provision as new Article I; by deleting existing Section II.A regarding grandfathered uses and substituting new Section 2250 therefor; by deleting existing Section II.B.1 regarding continuation of nonconforming uses and substituting new Section 2252 therefor; by deleting existing Sections II.B.2, II.B.3, II.B.4, and II.B.5 regarding alteration of nonconforming uses and substituting new Sections 2251, 2253, 2254 and 2255 therefor; by deleting existing Sections IV.A (first three lines of text only), IV.B, and IV.C regarding establishment of zoning districts and substituting new Section 2100 therefor; by adding a new Section 2310 and a new Section 2320 regarding construction of single or multiple structures on lots in the town; by reverding existing Section VI.F regarding rear lots, deleting the definition of "building line" therein, and renumbering said section as new Section 2330; by deleting existing Section VI.A and VI.E regarding accessory buildings and substituting new Sections 2240, 2244, 2245, 2246, and 2247 therefor; by adding a new Section 2243 regarding accessory scientific uses; by adding a new section 2242 regarding the keeping of animals (excepting agriculture); by deleting existing Section V.A.1-g regarding home occupations and substituting new Section 2241 therefor; by deleting existing Section VI.C regarding area of lots; by deleting existing Section VI.J.1 and VI.J.2 regarding prohibited uses; by deleting existing Section VI.H regarding parking and substituting new Section 3100 therefor; by deleting existing Section II.C regarding corner clearance and substituting new Section 3200 therefor; by deleting existing Section VI.I regarding signs and substituting new Section 3300 therefor; by deleting existing Section VI.N regarding erosion control and substituting new Section 3410 therefor; by adding new Sections 3420 and 3430 regarding disturbances and landscaping, respectively; by deleting existing Section VI.G regarding unregistered motor vehicles and substituting new Section 3600 therefor; by deleting existing Sections VI.J.3 and VI.J.4 regarding billboards and lighting; by deleting existing Section VI.K regarding rate of development and by substituting new Section 3700 therefor, which includes a five-year extension; by deleting existing Section VI.L regarding subdivision phasing and substituting new Section 3800 therefor; by deleting existing Section VI.M regarding site plan review and substituting new Section 3900 therefor; by deleting existing Section VI.D regarding earth removal and substituting new Section 4200 therefor; by deleting existing Section V.A.3 regarding campers and campgrounds and substituting new Section 4120 therefor; by deleting existing Sections VII, VIII, IX, X and XI regarding, respectively, enforcement, penalty, zoning board of appeals, other regulations, and validity, and substituting new Article V (Administration) therefor; and by deleting existing Section III in its entirety, regarding definitions, by deleting the definition of "non-conforming use" in existing Section II.B, and by substituting new Article VI (Definitions) therefor; so that Articles I, III, IV, V, and VI, of the Leverett Zoning By-Laws shall appear as on file with the Town Clerk.

Article Two: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section V.A, V.B, and V.C in their entirety regarding use regulations and by deleting existing Section V.A.4 regarding retail grocery or general stores in Village Residential districts and by substituting new Section 2200 therefor, which provides a schedule of principal use regulations.

Article Three: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section IV.A's "Basic Lot Size" table and the Table of Dimensional Requirements appended to the existing By-Laws and substituting new Section 2340 therefor, which provides a table of dimensional requirements.

Article Four: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 2400, Accessory Apartments. An Accessory Apartment is a small dwelling unit (not to exceed 800 sq. ft.) within a single-family residence. The By-law is intended to allow the creation of such units to promote affordable housing alternatives, particularly for elderly Leverett residents.

Article Five: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section VI.B regarding driveways and substituting new Section 3500, which is substantially a rewording and renumbering of same.

Article Six: To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Sections IV.D and V.D and substituting new Section 4500 regarding stream and lake protection. The revised by-law restricts the use of land within certain distances from ponds and streams in Leverett.

Article Seven: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4800 regarding flexible development. Flexible Development is intended to allow residential construction on larger parcels of land without strict adherence to the bulk requirements of the zoning by-law, as long as the development first obtains a special permit from the Planning Board, leaves at least 10% of the parcel as usable open space, and observes strict design guidelines. Nothing in this article is intended to eliminate the statutory right to develop land through the Subdivision Control Law.

Article Eight: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4700 regarding upper elevation site plan review. The proposed by-law would affect only construction in excess of 50 feet (vertical) above an abutting public way.

Article Nine: To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a prohibition of all new mobile homes, in any residential district, to Section 2200, and by adding new Section 4100 regarding mobile homes and campers, to control use of same during construction of a dwelling unit, seasonally, and after a catastrophe.

And you are directed to serve this warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, fourteen days at least before the day of said meeting.

Hereof, fail not and make return of this Warrant with your doings thereon at time and place of said meeting.

Given under our hands this day of A.D. 1990.

SELECT BOARD OF LEVERETT

MEETING WAS DISSOLVED BY THOSE VOTERS IN ATTENDANCE. THERE HAD BEEN A SEVERE SNOWSTORM THE NIGHT BEFORE AND IT WAS FELT THAT NOT ALL WHO WANTED TO ATTEND WERE ABLE TO BE PRESENT.

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SELECT BOARD OF LEVERETT

LEVERETT SPECIAL TOWN MEETING WARRANT

January 12, 1991

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SELECT BOARD OF LEVERETT

MINUTES
SPECIAL TOWN MEETING
JANUARY 12, 1991

Due to severe weather conditions and a smowstorm the night before the meeting, Moderator Ed Gere delayed opening the meeting until 9:40 am.

At 9:40am Moderator Ed Gere called the meeting to order after determining that a quorum was present.

There was a motion to dispense with the reading of the warrant. Motion was seconded and passed.

Planning Board Chair Ellis Landset addressed the group and asked if they wanted to continue due to the importance of the topic and the small turnout (around 69 voters). Residents noted the weather advisory which had been announced; some said that they felt the actions of the meeting would be challenged because not everyone could get to the meeting. Several other speakers agreed that no business should take place. Ellis asked if anyone present wanted to continue with the business of the meeting. No one answered in the affirmative.

Landset explained that two nights ago it was brought to his attention that there was a typographical error in the warrant and the notice. He said that since the town meeting was not going to take place today, the Planning Board would prefer to call a new meeting and have a new hearing so that the notice and warrant would be absolutely correct. He announced that the board would call a new meeting, and that article nine would be deleted. In light of this he said a motion to dissolve the meeting rather than to recess it was in order.

Ellis Landset: I move we dissolve the meeting. Motion was seconded. The motion passed unanimously.

The meeting was dissolved at 9:55am.

D'Ann Sauer Kelty
Town Clerk

ce has sheltered 64 women for nights. During that time, 75 percent of the guests have lined permanent housing, according to Sylvia Staub, a member of the Board of Directors of Amherst Friends for the Homeless, which runs the shelter. Fund raising has been a major part of the group, since contributions come mainly from private sources, she said. It costs about \$5,000 a month to operate Rosemary's Place.

A major fund drive was conducted in October with Shelter Day. However, fund raising continues over the winter, and tax deductible contributions to Rosemary's Place can be sent to Box 17, Amherst, 01004.

Volunteers are also welcome. Anyone wishing to help should call 321-95 or 259-1535.

The shelter was first located in a two-bedroom apartment at Hawthood, but has expanded and now has a capacity of eight. (L.)

Sponsor Charity

Lagis Mall on campus. The money is donated to the Massachusetts Society for the Prevention of Cruelty to Children, according to Ronald Gendron, resident of the club. He said 2 funds a Lego ornament, while \$1 pays for a light. The Legos will be given to children via the Holyoke MSPCC office. The club has a table at the concourse in the Student Union building.

The Triangle Street and Amity Street Shawmut Bank branches are again sponsoring a mitten tree. Donations of mittens, hats and scarves can be left on the trees. This is a service project of the Quota Club, which distributes the items.

The American Friends Service Committee is collecting school supplies, tools and toys for the students and farmers of Nicaragua. Spanish-language dictionaries, children's books, crayons, hammers, pliers, planes, soccer balls, dressed dolls and wooden puzzles are among the items requested and can be dropped off at 3 Langworthy Road, Northampton. The deadline is Dec. 16. Tax-deductible contributions are accepted and used to pay for program costs as well as purchase supplies, according to Lois Ahrens of the Central America Working Group of the AFSC. The materials are distributed in Nicaragua by CEPAD, a Protestant development organization, and ADEN, the principal teacher's union.

In addition, Price Chopper is again collecting children's winter coats with boxes located at the service desk. The coats are cleaned and distributed to children who need them. (P.L.)

Legal Notices

LEGAL NOTICE TOWN OF LEVERETT PLANNING BOARD

The Town of Leverett Planning Board will hold a public hearing pursuant to G.L.c. 40A, s. 5 on January 3, 1991, at 7:30 p.m. at the Leverett Town Hall, Montague Road, Leverett, Massachusetts. The purpose of the public hearing is to provide interested parties with an opportunity to comment on proposed changes to the Leverett Zoning By-Laws. The proposed zoning amendments represent a complete modernization of the Leverett Zoning By-Laws: all existing by-laws will be deleted and new by-laws shall be substituted therefor. The proposed amendments include:

ARTICLE 1. To see if the Town will vote to amend the Leverett Zoning By-Laws by rewording the "Purpose Clause" and renumbering said provision as new Article 1; by deleting existing Section II.A regarding grandfathered uses and substituting new Section 2250 therefor; by deleting existing Section II.B.1 regarding continuation of nonconforming uses and substituting new Section 2252 therefor; by deleting existing Sections II.B.2, II.B.3, II.B.4, and II.B.5 regarding alteration of nonconforming uses and substituting new Sections 2251, 2253, 2254, and 2255 therefor; by deleting existing Sections IV.A (first three lines of text only), IV.B, and IV.C regarding establishment of zoning districts and substituting new Section 2100 therefor; by adding a new Section 2210 and a new Section 2320 regarding construction of single or multiple structures on lots in the town; by rewording existing Section V.I.F regarding rear lots, deleting the definition of "building line" therein, and renumbering said section as new Section 2330; by deleting existing Section VI.A and VI.E regarding accessory buildings and substituting new Sections 2240, 2244, 2245, 2246, and 2247 therefor; by adding a new Section 2243 regarding accessory scientific uses; by adding a new Section 2242 regarding the keeping of animals (excepting agriculture); by deleting existing Section V.A.1.f regarding home occupations and substituting new Section 2241 therefor; by deleting existing Section VI.C regarding area of lots; by deleting existing Section VI.J.1 and VI.J.2 regarding prohibited uses; by deleting existing Section VI.H regarding parking and substituting new Section 3100 therefor; by deleting existing Section II.C regarding corner clearance and substituting new Section 3200 therefor; by deleting existing Section VI.I regarding signs and substituting new Section 3300 therefor; by deleting existing Section VI.N regarding erosion control and substituting new Section 3410 therefor; by adding new Sections 3420 and 3430 regarding disturbances and landscaping, respectively; by deleting existing Section VI.G regarding unregistered motor vehicles and substituting new Section 3600 therefor; by deleting existing Sections VI.J.3 and VI.J.4 regarding billboards and lighting; by deleting existing Section VI.K regarding rate of development and by substituting new Section 3700 therefor, which includes a five-year extension; by deleting existing Section VI.L regarding subdivision phasing and substituting new Section 3800 therefor; by deleting existing Section VI.M regarding site plan review and substituting new Section 3900 therefor; by deleting existing Section VI.D regarding earth removal and substituting new Section 4200 therefor; by deleting existing Section V.A.3 regarding campers and campgrounds and substituting new Section 4120 therefor; by deleting existing Sections VII, VIII, IX, X, and XI regarding, respectively, enforcement, penalty, zoning board of appeals, other regulations, and validity, and substituting new Article V (Administration) therefor; and by deleting existing Section III in its entirety, regarding definitions, by deleting the definition of "non-conforming use" in existing Section II.B, and by substituting new Article VI (Definitions) therefor; so that Articles I, II, III, IV, V, and VI of the Leverett Zoning By-Laws shall appear as on file with the Town Clerk.

ARTICLE 2. To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section V.A, V.B, and V.C in their entirety regarding use regulations and by deleting existing Section V.A.4 regarding retail grocery or general stores in Village Residential districts and by substituting new Section 2200 therefor, which provides a schedule of principal use regulations.

ARTICLE 3. To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section IV.A's "Basic Lot Size" table and the Table of Dimensional Requirements appended to the existing By-Laws and substituting new Section 2340 therefor, which provides a table of dimensional requirements.

ARTICLE 4. To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 2400, Accessory Apartments. An Accessory Apartment is a small dwelling unit (not to exceed 800 sq. ft.) within a single-family residence. The by-law is intended to allow the creation of such units to promote affordable housing alternatives, particularly for elderly Leverett residents.

ARTICLE 5. To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Section VI.B regarding driveways and substituting new Section 3500, which is substantially a rewording and renumbering of same.

ARTICLE 6. To see if the Town will vote to amend the Leverett Zoning By-Laws by deleting existing Sections IV.D and V.D and substituting new Section 4500 regarding stream and lake

protection. The revised by-law restricts the use of land within certain distances from ponds and streams in Leverett.

ARTICLE 7. To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4800 regarding flexible development. Flexible Development is intended to allow residential construction on larger parcels of land without strict adherence to the bulk requirements of the zoning by-law, as long as the development first obtains a special permit from the Planning Board, leaves at least 30% of the parcel as usable open space, and observes strict design guidelines. Nothing in this article is intended to eliminate the statutory right to develop land through the Subdivision Control Law.

ARTICLE 8. To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a new Section 4700 regarding upper elevation site plan review. The proposed by-law would affect only construction in excess of 50 feet (vertical) above an abutting public way.

ARTICLE 9. To see if the Town will vote to amend the Leverett Zoning By-Laws by adding a prohibition of all new mobile homes, in any residential district, to Section 2200, and by adding new Section 4100 regarding mobile homes and campers, to control use of same during construction of a dwelling unit, seasonally, and after a catastrophe.

THESE ARTICLES MAY NOT BE NUMBERED AS THEY WILL ULTIMATELY APPEAR IN THE WARRANT AT ANNUAL TOWN MEETING.

The complete text of these proposed amendments to the Zoning By-Laws are on file at the office of the Town Clerk, Town Hall, Montague Road, Leverett, Massachusetts, and are available for inspection during regular business hours.

Ellis Landst, Chairman
21-Dec. 5, 12 AB

COMMONWEALTH OF MASSACHUSETTS 86P004471 HAMPSHIRE, SS. PROBATE COURT

To all persons interested in the estate of MARY M. OSTROWSKI late of Amherst in said County, deceased, testate.

A petition has been presented to said Court for license to sell — at private sale — certain real estate of said deceased.

If you desire to object thereto, you or your attorney should file a written appearance in said Court, at Northampton, in the County of Hampshire, before ten o'clock in the forenoon on the twenty-sixth day of December 1990, the return day of this citation.

Witness, SEAN M. DUNPHY, Esquire, Judge of said Court, this twentieth day of November 1990.

ROBERT F. CZELUSNIAK, Register.
Dec. 5, 12, 19 AB

COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT THE PROBATE AND FAMILY COURT DEPARTMENT Hampshire Division Docket No. 90P0591A1 Estate of PEARL L. KEYES late of Amherst in the County of Hampshire

NOTICE
A petition has been presented in the above-captioned matter praying that KARLA KEYES of Amherst in the County of Hampshire and KAREN K. MURPHY of Brewster in the County of Barnstable be appointed administrators of said estate, without giving surety on their bond.

If you desire to object to the allowance of said petition, your or your attorney must file a written appearance in said Court at Northampton on or before 10:00 in the forenoon on December 19, 1990.

WITNESS, SEAN M. DUNPHY, Esquire, Justice of said Court at Northampton, the 19th day of November in the year of our Lord one thousand nine hundred and ninety.

ROBERT F. CZELUSNIAK
Register of Probate
Dec. 5 AB

COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT HAMPSHIRE, SS. PROBATE & FAMILY COURT DEPT.

Docket No. 90P0600GM1
NOTICE OF
GUARDIANSHIP-MINOR-WITH-SURETIES
NOTICE

To all persons interested in JENNIFER VICENTE and STEPHINE VICENTE of Amherst in said County, minors.

A petition has been presented in the above-captioned matter praying that ALICIA VARELO of Amherst in the County of Hampshire or some other suitable person, be appointed guardian of said minors, with custody, first giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Northampton on or before December 26, 1990.

WITNESS, SEAN M. DUNPHY, Esquire, Justice of said Court at Northampton, the 21st day of November, in the year of our Lord one thousand nine hundred and ninety.

ROBERT F. CZELUSNIAK
Register of Probate and Family Court
Dec. 5 AB

LEVERETT SPECIAL TOWN MEETING WARRANT

November 8, 1990

Franklin, SS.

To one of the Constables of Leverett

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, that a Special Town Meeting shall be held at the Elementary School at said Leverett on Thursday, the eighth day of November, 1990 at 7:30 p.m. in the evening then and there to act on the following articles, namely:

Article One: *I move* ~~To see if~~ the town ~~will~~ vote to authorize the transfer of the administration, maintenance, operation, and control of land situated in Rattlesnake Gutter, to the Leverett Conservation Commission in accordance with the provisions of M.G.L. c.40, sec.8C. This is the same land which is described in the deed of Peter M. Benben and Joseph Koski, Jr. to the Inhabitants of the Town of Leverett, recorded in the Franklin County Registry of Deeds on April 27, 1990 at Book 2433, page 78.

Sponsor: Selectboard

Article Two: *I move* ~~To see if~~ the town ~~will~~ vote to transfer ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500) from Police Expense account to Police Wages account for training.

Sponsor: Police Department

Article Three: To see if the town will vote to appropriate sums of money for constructing, originally equipping and furnishing, in two phases, an addition to and remodeling and reconstructing of the Elementary School; to determine whether these appropriations shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: Selectboard

And you are directed to serve this warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, fourteen days at least before the day of said meeting.

Hereof, fail not and make return of this Warrant with your doings thereon at time and place of said meeting.

Given under our hands this 15th day of October A.D., 1990

SELECT BOARD OF LEVERETT

A true copy attest:

D. Skelly
Town Clerk

Fenna Lee Bonsignore
Fenna Lee Bonsignore

Donald L. Gibavic
Donald L. Gibavic

Alice J. Rarig
Alice J. Rarig

I have served this Warrant as directed therein.

Dated: _____ Constable: _____

MINUTES
SPECIAL TOWN MEETING

NOVEMBER 8, 1990

The meeting was called to order by Moderator Ed Gere at 7:30pm in the Leverett Elementary School gymnasium. There was a motion to dispense with the reading of the warrant. Motion was seconded and passed.

Article One (Don Gibavic): I move that the town vote to authorize the transfer of the administration, maintenance, operation, and control of land situated in Rattlesnake Gutter, to the Leverett Conservation Commission in accordance with the provisions of M.G.L. c.40, sec.8C. This is the same land which is described in the deed of Peter M. Benben and Joseph Koski, Jr. to the Inhabitants of the Town of Leverett, recorded in the Franklin County Registry of Deeds on April 27, 1990 at Book 2433, page 78.

The motion was seconded, recommended by the Finance Committee and passed unanimously.

Article Two (Fenna Lee Bonsignore): I move that the town vote to transfer ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500) from Police Expense account to Police Wages account for training.

The motion was seconded and carried.

Article Three (Alice Rarig): I move that the town appropriate \$800,000 for constructing, originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; that to meet this appropriation the Treasurer with the approval of the Selectboard is authorized to borrow \$800,000 under G.L. c. 44 para 7 of Chapter 645 of the Acts of 1948 as amended; and that an additional \$1,600,000 is appropriated for constructing, originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; that to meet this additional appropriation the Treasurer with the approval of the Selectboard is authorized to borrow the additional \$1,600,000 provided that the State Board of Education approves a construction grant not less than 67% of the eligible construction cost under said Chapter 645.

The motion was seconded. Presentations and positive recommendations were made by Selectboard, School Committee, Finance Committee, Capital Planning Committee. Minority opinion from Capital Planning Committee was heard.

The question was moved at 8:35, at which time a secret ballot procedure began. At 9:40, the Moderator announced the results: 443 votes were cast, Yes - 269, No - 174. The two-thirds needed for the motion to carry was 295, the motion lost.

Tim Sheard made the following motion: I move that \$800,000 if raised and appropriated for constructing, originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; and that an additional \$1,600,000 is appropriated for constructing, originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; and to raise and appropriate the additional \$1,600,000 provided that the State Board of Education approves a construction grant not less than 67% of the eligible construction cost under said Chapter 645, G.L. of the acts of 1948 as amended.

The moderator felt the motion in question should not be voted due to the reduced size of the meeting and expressed doubt as to whether or not money can be appropriated after the tax rate has been set.

After discussion, Ellis Landset: I move the meeting recess until November 20, 1990 at 7:30 at which time everyone can have the opportunity to consider and address the issue after Town Counsel makes a determination on the legality of the motion. Motion was seconded and passed 30-25.

The meeting was recessed at 10:20pm.

MINUTES
SPECIAL TOWN MEETING NOVEMBER 8, 1990

RECONVENED SESSION NOVEMBER 20, 1990

The meeting was reconvened by Moderator Ed Gere at 7:30pm at the Leverett Elementary School gymnasium.

The moderator offered words of explanation as to what had happened at the end of the last session. He said that he had received a written advisory from Town Counsel Michele Leaf during the interim and that the motion on the floor cannot be voted on at all, since the tax rate for the year has already been set.

Don Robinson: I move the meeting be adjourned. Moderator Gere said that the motion was not in order. The business of the meeting must be concluded before adjournment.

Alice Rarig: I move that the town appropriate \$750,000 for constructing originally equipping and furnishing an addition to and remodelling and reconstructing the Elementary School; that to meet this appropriation the Treasurer with the approval of the Selectboard is authorized to borrow \$750,000 under G.L. c. 44 para 7 or Chapter 645 of the Acts of 1948 as amended, provided that no more classrooms than four classrooms be built with these funds; and that an additional \$1,500,000 is appropriated for constructing, originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; that to meet this additional appropriation the Treasurer with the approval of the Selectboard is authorized to borrow the additional \$1,500,000 provided that the State Board of Education approves a construction grant not less than 67% of the eligible construction cost under said Chapter 645.

The motion was seconded. At 8:22 there was a move to call the question, seconded and passed. At 9:24 the Moderator announced the results: 473 ballots were cast. Yes - 287, No - 186. The two-thirds needed was 316, the motion lost.

There was a move to adjourn by Don Gibavic. Motion was seconded. Vote to adjourn passed 167-113.

Minutes recorded and submitted by,

D'Ann Sauer Kelty, Town Clerk

MICHELE L. LEAF

ATTORNEY AT LAW

23 NUMBER SIX ROAD · LEVERETT, MASSACHUSETTS 01054

(413) 548-9365

November 14, 1990

Mr. Edwin A. Gere, Jr.
Leverett Town Moderator
92 Juggler Meadow Rd.
RFD # 3
Amherst, MA 01002

RE: Special Town Meeting

Dear Ed:

You have requested an opinion concerning the legality of the motion before the town meeting to Raise and Appropriate \$800,000 for the construction of an addition to the Leverett Elementary School. In order to legally appropriate any money for use during FY 1991, a motion passed by the town meeting would have to specifically earmark available funds, such as free cash. Unless the pending motion is amended to designate specific funds from which the money can be transferred, it will result in an illegal town meeting action. This is the case, because the tax rate for FY 1991 has already been set. M.G.L. c. 59 § 23 specifies the procedures for tax assessment by the Board of Assessors, and states that "No...tax rate for any fiscal year shall be changed after it has been approved by the commissioner and returned to the assessors." Since an appropriation which requires the raising of additional funds would result in a change in the tax rate, it would violate this statutory prohibition.

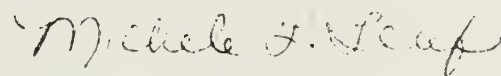
To the extent that the motion remains a motion to **raise** and appropriate, there is a question whether it can be considered a legal motion to raise and appropriate funds for FY 1992. In other words, does a municipality have the authority to appropriate funds prior to the annual town meeting which will vote upon a budget for the ensuing fiscal year? M.G.L. c. 41 § 59 and § 60 detail the budgeting process for towns, and provide that an annual budget be prepared prior to the annual town meeting. Although I could find no express prohibition against voting on part of the budget prior to the annual town meeting, such action would appear to frustrate the statutory scheme cited above. While there is no statute explicitly prohibiting such action, neither is there any authorization to commit funds for capital expenditures in this manner. Moreover, such piecemeal appropriations could be found to be against public policy, because they would in all likelihood hamper the ability of the Selectboard and the Finance Committee to carry out their statutory duties relative to the budgeting process, thereby interfering with the smooth operation of government.

Even if the town has authority to make an appropriation for FY 1992 at this time, it would appear that there is no authority for the expenditure of such funds prior to the commencement of FY 1992. Although the school committee (if explicitly designated by town meeting as the spending authority for the project) could arguably contract for services and order materials prior to the commencement of the fiscal year, they could not expend any funds until after July 1, 1991. M.G.L. c. 71 § 49A states that "any time after the annual appropriations for the ensuing fiscal year are made by a city or town...a school committee may order materials, supplies and equipment and may contract for services for the public schools which are chargeable against such appropriations, provided that no payment therefor shall be made prior to the commencement of said ensuing fiscal year."

Finally, in order to enter into a contract for the construction of an addition to the school, the provisions of M.G.L. c. 44 § 31C require that the town auditor or accountant certify that an appropriation in the amount of such contract is available and that an officer or agent of the town has been authorized to execute said contract. Given the uncertainty of an appropriation in advance of the fiscal year, there is some question about whether such certification would be forthcoming.

In conclusion, I believe that the town cannot properly vote on a motion to raise and appropriate funds to be expended during FY 1991. The motion must be amended to specify the precise funding sources, all of which must be from available funds. Because of the unanswered questions about whether the town has authority to appropriate funds for FY 1992 in advance of the annual town meeting, I believe that such action would be unwise, particularly since money appropriated could not be expended until FY 1992 in any event. For these reasons, it would be preferable for such a vote to occur at the annual town meeting when the remainder of the budget for FY 1992 is under consideration.

Very truly yours,



Michele L. Leaf

cc: Selectboard
Finance Committee
Capital Planning Committee
School Committee



From: Ed Gere, Leverett Town Moderator
Date: November 15, 1990

On the basis of the advice received from the Leverett Town Counsel, no action will be taken under the motion made by Tim Sheard at the Special Town Meeting on November 8. The Town Meeting will reconvene on Tuesday, November 20, however, and other motions may be in order. Other motions will be entertained, however a simple reconsideration of the original Article Three motion will not be considered in order because no new information has been offered.

NOTICE

The Special Town Meeting which was convened on November 8 is being continued on Tuesday November 20 at 7:30pm in the Leverett Elementary School gym. The moderator has informed us that no action will be taken under the motion on the floor at the time of the recess. On Tuesday night the selectboard plans to present a new motion for a school addition.

The decision to make this motion is the result of a meeting held on Thursday November 15 between the selectboard, the finance committee, the school committee, the capital planning committee and many private citizens, at which time it was decided to ask for a maximum of \$750,000 for no more than four classrooms, connecting corridors, bathrooms and the required new well. When taking into account the cost of leased or purchased portable classrooms or a smaller addition, this proposal seemed still to be in the best interest of the town as the first phase of a two phase project.

The motion which will be made differs from the one made on November 8 in that it limits the size of the addition as well as the amount, so that if bids come in lower, the cost to the town could be less than \$750,000.

The particulars of this motion will be discussed at the meeting on Tuesday night. Other motions may be introduced. Please attend.


Fenna Lee Bonsignore


Donald L. Gibovic


Alice J. Rarig

OFFICE OF THE SELECTBOARD
TOWN HALL
LEVERETT, MA 01054

BULK RATE
U.S. POSTAGE PAID
LEVERETT, MA 01054
PERMIT NO. 3

CAR-RT

LEVERETT RESIDENT
LEVERETT, MA 01054

On November 8, 1990, Leverett town meeting was called to order and a two-phase school addition was proposed. Phase 1 would borrow \$800,000 to build and furnish additional space (four or five rooms). Phase 2 would be completed when state funding arrived. The vote was cast: total 443; 269 for the proposal and 174 against. As soon as the results were read, Tim Sheard, Finance Committee member, proposed building the \$800,000 through appropriations this year. That would mean an additional tax increase of an estimated "...\$1,000 to the average tax bill, according to several town officials". (Gazette, 11/9/90). While there were approximately 60 people remaining, much heated discussion took place for the next hour. Several motions were made to adjourn and recess, with recessing as the final outcome. This means that on **November 20th at 7:30 p.m. at the school**, town meeting will still be going on. With town meeting still open, many proposals may be brought to the floor with discussion then. We have every reason to believe that another plan with Phase 1 being around the vicinity of \$800,000 is expected. It is extremely important for you to attend this meeting. Your vote counts no matter whether you are for or against the project. It is vital that you remain at town meeting until it is adjourned.

At a selectboard meeting on November 15th, many citizens representing different opinions were once again together. Opponents gave strong input to the four boards on varying points of view regarding the need for space. The school committee heard that some people feel there isn't a space problem if you consider 25 - 30 children per class in the upper grades as public education. Many suggested that the School Committee make a commitment to providing a half-day kindergarten program vs a full-day program (which is not required by the state). A four-room, no frills building proposal without furnishings was suggested as a compromise by some only if these concessions were undertaken. It was suggested that we build the four rooms as inexpensively as possible, but not to exceed \$800,000.

The board was presented with many ways to conduct the vote on Tuesday night which will make is quicker and much easier to vote. Please do not be discouraged so that you either don't go or you leave early. This is your town and your opinion counts.

NOVEMBER 20, 1990 - 7:30 P.M. - TOWN MEETING

LEVERETT ELEMENTARY SCHOOL

It is most important that you be there with your opinions, concerns, questions and
Votes.

I'm angry that many of my younger friends in Leverett feel like they are being held hostage by the threat that their kids are going to be bussed out of town if they don't vote for the school addition. I think a commitment of 25 - 30 students in a class and a half-day kindergarten would go a long way in helping with the overcrowding. It's the full day kindergarten that has resulted in this year's bussing situation. I feel a very real lack of trust after the last town meeting. People voted and went home, thinking there were no more articles to vote on and woke up the next morning to discover 35 people had voted to extend town meeting. I think there are more alternatives to be explored and we are not in a true crisis situation. I strongly urge everyone to come out to vote and stay at town meeting until adjournment.

SANDY COCORAN

How can I trust our public officials when Finance Committee member, Tim Sheard, proposed another motion when nearly everyone has gone home after voting in good faith.

IAN MERZBACH

I think there is a compromise that might be agreeable to most of the opponents. I have suggested to the four boards that we restrict the addition to four rooms, taking the lowest bid not to exceed \$800,000. I've also suggested that the full-day kindergarten be cut to two half-day classes due to the large number of students and our economic times in the state and our town. The teacher currently in the second classroom could then be used where there is an abundance of students. I only suggest this as an alternative IF THE SCHOOL COMMITTEE PUBLICLY COMMITS TO HALF-DAY KINDERGARTEN AND THE "BARE BONES" FOUR ROOM ADDITION. I feel this is a good compromise and, personally, this would get my vote. If the school committee does not do this, then I will vote no on a four room addition and possibly consider a two-room addition, which they feel is what they need for the next school year. At the meeting, Tim Sheard, offered a suggestion of renting out the two classrooms that really are not needed this year. I think that's a great idea. It could generate an income for the school which could then be put back into renovations or repairs. One possibility for the room rental could be a childcare business for the kindergarten classes.

I beg you to come to Tuesday's meeting where our votes count regardless of what we're in favor of or disagree with. PLEASE COME. If you need a ride, please contact me at 548-9274 and we'll get you there. (I don't care how you're going to vote but conversation will be neutral).

JOYCE BECHARD PAIGE

LEVERETT SPECIAL TOWN MEETING WARRANT

November 8, 1990

Franklin, SS.

To one of the Constables of Leverett

GREETINGS:

In the name of the Commonwealth, you are hereby directed to notify and warn the Inhabitants of Leverett, qualified to vote in the Town affairs, that a Special Town Meeting shall be held at the Elementary School at said Leverett on Thursday, the eighth day of November, 1990 at 7:30 p.m. in the evening then and there to act on the following articles, namely:

Article One: To see if the town will vote to authorize the transfer of the administration, maintenance, operation, and control of land situated in Rattlesnake Gutter, to the Leverett Conservation Commission in accordance with the provisions of M.G.L. c.40, sec.8C. This is the same land which is described in the deed of Peter M. Benben and Joseph Koski, Jr. to the Inhabitants of the Town of Leverett, recorded in the Franklin County Registry of Deeds on April 27, 1990 at Book 2433, page 78.

Sponsor: Selectboard

Article Two: To see if the town will vote to transfer ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500) from Police Expense account to Police Wages account for training.

Sponsor: Police Department

Article Three: To see if the town will vote to appropriate sums of money for constructing, originally equipping and furnishing, in two phases, an addition to and remodeling and reconstructing of the Elementary School; to determine whether these appropriations shall be raised by borrowing or otherwise; or to take any other action relative thereto.

Sponsor: Selectboard

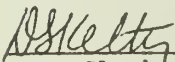
And you are directed to serve this warrant by posting up attested copies thereof on the Post Office and Congregational Church at Leverett, also the store and Baptist Church at North Leverett and the store at Moores Corner, fourteen days at least before the day of said meeting.

Hereof, fail not and make return of this Warrant with your doings thereon at time and place of said meeting.

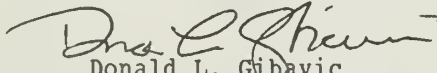
Given under our hands this 15th day of October A.D., 1990

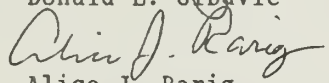
SELECT BOARD OF LEVERETT

A true copy attest:


Town Clerk


Fenna Lee Bonsignore


Donald L. Gibavic


Alice J. Rarig

I have served this Warrant as directed therein.

Dated: _____ Constable: _____

Leverett Elementary School

LEVERETT, MASSACHUSETTS 01054

BARBARA JEAN JORDAN, PRINCIPAL

To: All Kindergarten and Pre School Parents;
From: Bobbie Jordan

Re: Town Meeting vote - Tuesday November 20, 1990

Over the weekend a flyer was put on many mailboxes in town. The message that this particular flyer is trying to get across is that half day kindergarten is a solution to overcrowding, and that building opponents should hold out until the school committee makes compromises toward class sizes of 25-30 and 1/2 day kindergarten.

You fought hard to keep a full day program. It will be very important that you are a vocal present voice at Town Meeting. The issue is not space but a philosophical belief of what schools should be like for ~~some~~ people.

Please come and let your voice be heard. Letting people know that keeping kindergarten full day as a priority is important if that's the direction you want the school to go.

Bobbie

A Teil

548

CAPITAL EXPENDITURES FY 91

UPDATE REPORT

(TOWN MEETING ARTICLE, APRIL 1990)

THIS REPORT: Nov 19, 1990

	First Budget Apr 25, 1990 for Town Mtg.	Current Status Oct 19, 1990	Revised Budget Anticlp. Expend. or Bids	Expended and Committed, to date
1 Ventilation Rehabilitation	\$36,000	\$76,600 Final Low Bid	\$85,550	\$8,950 (Engineer)
2 Special Education Space Provision	\$22,000	Construction 99% complete	\$13,000	\$13,000
3 Radon Mitigation	\$10,000	Construction	\$1,000	\$350
4 Electrical Safety	\$15,000	Planning & work started		\$2,000
5 Fuel Tank Remove/Replace	\$40,000	Planning	\$39,000	none
6 Add'l Egress 5th Gr. Room	\$2,500	Planning	\$2,500	none
TOTALS	\$125,500		\$141,050	\$24,300

- Note 1 Orig. Budget for partial project, need became for full project
Bidding 2X reduced bid by \$10,200; Rev. Budg. includes
Design \$8,500 plus Re-bid cost \$450
- Note 2 Completion of plumbing awaited water tank test
- Note 3 In progress with Bill Bell, State Rad'n Officer
- Note 4 Highest priority (grounding) to come first
- Note 5 Currently estimating to lower cost, if feasible
- Note 6 Volunteer effort might reduce cost; currently estimating

ML Nov 19, 1990

Thursday, November 8th at 7:30 pm at the School, Leverett voters will be asked again to approve a \$2.4 million school building/renovation project. This latest proposal would require that the Town pay \$800,000 and start construction **before** the state commits any funds for the project. All previous proposals have been contingent on not going forward until the state has the money to pay their share. Many of us feel that, given so much financial uncertainty, **now is not the time to lock ourselves into a project that depends on the hope of future state financing.** It is acknowledged that more school space is *desirable*. However, Leverett unlike many other communities, is not in a crisis situation. This latest proposal goes far beyond what seems reasonable or affordable. Let's review some of the issues.

1. What if the February 10, 1990 vote on the \$1.9 million school addition had passed?

First, we would have had to pay upwards of \$130,000 in additional architectural fees and there is absolutely no reason to believe that any construction would have taken place. When we voted down the \$1.9 million project many voted against it because they feared that the state would not be able to fund their share. As it turns out, this is what happened to Shutesbury. Their school building project is presently on hold because it was ranked 42nd of the 64 submitted and according to Superintendent Lubinsky the state, "didn't have enough funds to reach Shutesbury." (Recorder Oct. 11, 1990) Leverett was expected to be ranked even lower than Shutesbury. According to a recent article, the state money for the Shutesbury project may not "arrive for several years." (Bulletin Oct. 17, 1990)

2. Are we so crowded that we have to send kindergarten children to Sunderland?

There are presently 27 children in kindergarten and the state (requires?) that the class size not exceed 25. Some communities feel they meet state requirements by adding a second teacher or aide to the classroom when it has reached the 25 limit, others feel they need a second classroom. Did you know that a full day kindergarten program is not required? The Leverett school committee originally voted to go to a half day program this summer to keep class size small. This is what Shutesbury has done. Later the committee decided to offer a full day program and set up a separate 13 pupil class in Sunderland. Even with all 27 children in the existing Leverett kindergarten, we would have more than the 35 square feet per child of space recommended by the state.

3. How can we afford a \$2.4 million project now, if last February we voted down \$1.9 million?

Included in the \$1.9 million was \$125,500 in school improvements that was funded at the last annual Town meeting. Therefore, we have actually gone from a \$1,900,000 project to a \$2,525,500 project. Even the \$2.4 million is just an educated guess because, as mentioned before, we have no idea as to when the state might ever get around to funding their share and by then, the costs might be much higher. Excluding the \$125,500, the estimated tax increase is \$96 per \$100,000 of property valuation. This \$96 per \$100,000 only includes the construction of the school. It does not include furnishing, staffing and operating costs. These additional costs will result in further tax increases. You know your own economic situation so affordability is really a personal judgement. Some members of this community are being squeezed and a tax relief committee has been formed to look into this matter. We are continuing to face a deep recession. State aid to cities and towns has been cut, the real estate market is dismal and unemployment is on the rise. No matter how you voted last time, now is not the time for the Town to take on further long term debt.

4. What can be done?

This vote is coming too soon after the last vote and it continues to divide the community. The atmosphere is tense and people are stressed out. There was only one public meeting on the latest proposal before we vote. The last building committee was dissolved and the school committee is currently serving as the new building committee. Though many supported the \$1.9 million project, the fear that the state would not hold up their end of the bargain kept it from being passed. The only reasonable alternative is to Vote No on the proposal and then urge the selectboard to form a bipartisan group to carefully consider what proposal can gain broad community support. For example, what program could we as a community handle on our own and keep the state out of as much as possible. There is a deep sense of community caring for the school and unfortunately, the way this is being handled, it is pitting neighbor against neighbor. Let's vote this proposal down and commit ourselves to working together for a program that will receive broad community support.

You know who we are group....

Joyce Bechard Paige

I live in a three generational home. My 73 year old mother contributes her retirement money, I work two jobs and my two children work after school to help and we're just at the waterline. I'm worried about our current state of economics and not embarrassed or ashamed to say I can't afford alot now. I've attended school committee meetings for about two years and listend to their desires for space. I believe that the committee can help economize by having only a half-day kindergarten program thus freeing up a teacher to assist with the larger classrooms. As indicated, we can live with a crunch knowing that there are concrete plans for the following year. At this time, I would ask that "we just get by", possibly through more staffing or rearrangment of space. This will allow us time to see what the new government will do and what the financial impact will be. I think we need some additional space but how can we possibly make a wise decision in so little time? I can't jump into a \$2.4 million proposal at this time. I'm afraid I'll drown. Let's say NO now and then work on plans to build an additon the right way.

VOTE NO ON THIS PROPOSAL AT THIS TIME

It goes too far...

Carrier Route Presort

Box Holder

BULK RATE
US POSTAGE
PAID
LEVERETT, MA
PERMIT #6

LEVERETT ELEMENTARY SCHOOL

POTENTIAL COSTS OF BUILDING ADDITION ALTERNATIVES

- (A) Construction
- (B) Modular Construction or Purchase
- (C) Modular Rental

(A) CONSTRUCTION

Phase 1			Phase 2		
<u>Budget:</u>	Design cost	\$60,000			
	New Well	\$70,000			
	Construction	\$670,000			
	Total	\$800,000	Total	\$1,600,000	

Includes (Phase 1): 4 classrooms, separate heating system, corridor through current library, handicapped accessible toilets, storage, pitched roof

(Phase 2): Up to three additional classrooms, necessary comprehensive improvements to the existing building, including handicapped accessibility (elevator), deferred maintenance remediation (e.g. dry rot windows), additional code and safety measures (e.g. electrical work)

Phase 2 would be undertaken only upon receipt of state aid and, therefore, at no additional cost to the town.

Cost to a \$100,000 property:

	1992	1993	1994	1995	1996	1997	1998	1999	
Maximum\$	0	96	93	90	87	84	81	75	and declining
Minimum\$	0	75	75	75	75	75	75	75	and constant

(The figures above are based on 20 year borrowing at 8%, to be completed either through an amortized process or through a fixed principal loan. The cost to the town would range between \$81,500 and \$104,000 for the first year. The costs are based on an \$800,000 expenditure only. Initial expenditure of \$800,000 followed by receipt of a state grant and additional expenditure from that grant would change figures for a specific year, but not the total cost).

(B) MODULAR CONSTRUCTION OR PURCHASE

<u>Budget:</u>	Design cost	\$50,000
	New Well	\$70,000
	Construction or purchase	\$380,000
	Total	\$500,000

Includes: Four classrooms with handicapped accessible toilets and a tie in to the existing building. There would be no modification of the existing building, including no modifications of the 1976 addition heating system and steps taken toward handicapped access would be made for the modular building only. There would be no state aid, and, therefore, no "Phase 2".

Cost to a \$100,000 property:

	1992	1993	1994	1995	1996	1997	1998	1999	
Maximum\$	0	60	58	56	54	53	51	47	and declining
Minimum\$	0	47	47	47	47	47	47	47	and constant

(The figures above are based on 20 year borrowing at 8%, to be completed either through an amortized process or through a fixed principal loan. Costs are based on a construction estimate by Amity Modular Homes, Inc. of Amherst. Any additional costs associated with necessary improvements to the existing building would be undertaken later)

(C) MODULAR RENTAL

<u>Budget:</u>	Design cost	\$50,000
	New Well	\$70,000
	Delivery/Removal/Site Work	\$125,000
	Hook-up Costs	\$15,000
	Total	\$260,000

Annual lease fees \$50,000 to \$75,000

Includes: Four classrooms with handicapped accessible toilets, and a tie in to the main building. There would be no modification of the existing building, including no modifications of the 1976 addition heating system, and steps taken toward handicapped access would be made for the modular building only. There would be no state aid, and, therefore, no "Phase 2".

Cost to a \$100,000 property:

	1992	1993	1994	1995	1996	1997	1998	1999
Maximum\$	69	136	132	128	124	121	69	65
Minimum\$	46	103	99	96	93	90	46	46

(Estimates from Arthur Industries of Terryville, CT, and Gelco Space, Inc. of South Windsor, CT. These are relatively expensive providers of modular space)

TOWN OF LEVERETT

QUESTIONS AND ANSWERS ABOUT LEVERETT'S VOTE ON A SCHOOL BUILDING PROJECT

WHAT WILL THE TOWN VOTE ON?

The following:

Move that \$800,000 is appropriated for constructing, originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; that to meet this appropriation the Treasurer with the approval of the Selectboard is authorized to borrow \$800,000 under G.L. c.44 para 7 or Chapter 645 of the Acts of 1948 as amended; and that an additional \$1,600,000 is appropriated for constructing, originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; that to meet this additional appropriation the Treasurer with the approval of the Selectboard is authorized to borrow the additional \$1,600,000 provided that the State Board of Education approves a construction grant not less than 67% of the eligible construction cost under said Chapter 645.

WHO IS PROPOSING THIS?

The selectboard, the finance committee, the capital planning committee, and the school committee.

WHEN AND WHERE WILL WE VOTE?

At the Elementary School on Thursday evening November 8 at 7:30 p.m.

WILL THERE BE AN OPPORTUNITY TO TALK ABOUT AND LEARN ABOUT THIS PROPOSAL?

School Addition

I. What the Capital Planning Committee is (briefly)

- a. Established by the Annual Town Meeting 1990
- b. Reviews and recommends on capital requests (those purchases costing more than \$5000 and having a useful life of more than 5 years)
- c. Looks at all capital needs and prioritizes them
- d. Recommends scheduling of projects to even out the tax impacts

II. Brief history of this request

a. School Dept faced an increase of students this year which was much larger than expected and expects a further increase next year. More space was needed this year and still more will be needed next fall. (Last year 153, this year 173, next year 188)

b. the School Dept. brought the problem before the Selectboard. A meeting was scheduled of the S.D., Cap. Planning, Selectboard, and Finance. Joe Flahive of the Mass. Dept. of Ed attended this and later meetings. I was asked to chair that meeting.

c. Considerations and requirements

1. Based on the number of classes which are likely to exceed 30 children and certain other factors, at least 2 new rooms will be needed next year, and possibly 3 the year after. Preschool could be moved into a 4th room. To provide this space we:

- a. could rent space (as we are now doing)
- b. could rent modular units
- c. could buy modular units
- d. could build space

2. Requirements of any new construction (modulars or conventional)

- a. will probably be required to have toilet facilities
- b. will trigger a requirement to relocate the well. (Must be farther from the road and from the building.

c. must be handicapped accessible

d. must meet state building code for public buildings

e. only a building committee having an appropriation from town meeting or the school committee can build a school. No other committee is permitted to enter into contracts for building construction.

1. plans can not be available because an architect would have to be hired to draw them and ,this cannot be done without an appropriation.

2. most of the preliminary planning to determine what must be done has already been done. We can work from the information which we already developed for the previous proposals.

3. we do not own the previous plans and in any case they were not designed to permit a phased approach to construction.

f. an architect must be hired for either modulars or for conventional construction

g. an architect not only draws the plans but also supervises the construction. The architect usually also must hire consultants to provide detailed reports on various requirements of state code.

3. Because of the state code requirements for construction, handicapped accessibility and the need for toilet facilities, modulars would almost have to be custom made.

a. rental modulars meeting these requirements would be unlikely to be available at a reasonable cost.

b. purchased modular units would be almost as expensive as new construction, once the site work to place them anywhere but in the parking lot is figured in (an informal quotation of \$400,000 had been received, not including site work or architects fee).

4. modular units cannot be part of a reimbursable project because of their limited life (10 to 20 years).

5. the need for space is not temporary. The need will continue for at least 5 more years (based on yearly births) and probably longer (31 children born this year so far).

d. Decisions

1. Rented space is not a desirable option since it spends town money without developing any permanent solution

2. modulares are not a good solution since they have a limited life, are likely to have little salvage value, and they cannot qualify for state assistance

3. Joe Flahive pointed out that he had been involved with two projects within the last year or two in which this amount of space (4 or 5 rooms) was built for under \$800,000. His opinion was that the space could be built for \$800,000, including moving the well, toilet facilities with their own small septic tank and field and including the architect's fee, but not including furnishings. The construction could be completed by about Sep. 1 if it was started promptly in the early spring. This price estimate was later verified by Joe with a contractor with whom he had worked on one of the projects.

4. \$800,000 is the entire town's share of a \$2.4 million project. A complete project could be designed in such a way that the space could be built now but would be a part of that project. The entire project could be submitted to the state for reimbursement. If the project was approved by the state the remainder of it would then be built, but at no additional cost to the town.

5. The design should be done in a way that requires a minimum of alteration to the existing school both to minimize cost and to permit the school to operate while the construction is being done.

6. It should be possible to design the 4 room section so that the electric heating in the 1976 addition could be replaced with heat from the new section.

7. The \$800,000 will be paid entirely by the town. Thus, state approval is not required before we proceed. The second phase of the project would be built only if the state approves it.

8. The second phase of the plan submitted to the state would include

a. construction and renovation required to make the entire school completely handicapped accessible

b. renovations and repairs to the existing school (including replacing rotted window sills, moving the fuel tank, electrical safety work and fire safety work)

c. possibly some additional space, including some additional toilet facilities which are likely to be required by the need for handicapped accessibility (can't have as many fixtures in a given space when room for wheel chairs is required)

d. All of this would not cost the town anything additional. This would all come from the state's share. The town's share would be the \$800,000 we spent for the 4 rooms.

III Conclusions

a. The need for space in the school will continue for at least 5 years based on actual count and probably beyond.

b. Constructed space can be built for only a slightly greater cost than equivalent space in modular units.

c. constructed space can be designed to be built in two phases

1. for not more than \$800,000 the space required immediately can be built, along with relocating the well (which we will be required to do).

2. the second phase would address the handicapped accessibility, renovations, and general circulation problems, all of which we must solve in any plan which would qualify for state reimbursement.

3. the \$800,000 spent for the first phase would be the town's entire share of both phases. The second phase would cost not more than \$1.6 million and would be paid entirely by the state or it would not be built.

d. The cost of constructing the first phase is likely to increase with each year of delay. (present bids are very little over cost. Construction materials are continuing to increase in cost).

IV. Tax impact of borrowing \$800,000 for 20 years at 8%

a. Impact stated as increase in tax per \$100,000 of valuation because of ease of scaling

b. We will use bond anticipation financing during construction. Thus, next year the tax impact will be due to the interest on this borrowing only and will be less than \$59 per \$100,000 valuation (could borrow entire amount and earn interest prior to making progress payments. Could borrow only as much as is needed for progress payments. Either way less than full year borrowing)

c. The year after and later it will depend on how the loan is financed. Can be as low as \$75 (with greater interest cost over the life of the loan) or as much as \$96 in the first year, decreasing each year thereafter.

d. The total debt service will be about 10% of our budget, which is the upper limit recommended by this committee. (present debt service is about 3% and will rise to about 5% next year due to the \$125,500 borrowed for the school repairs).

V. Recommendation

The Capital Planning Committee voted 4 to 1 to recommend this project. George Drake, Dave Evans, Doris Gere and Steve Nagy voted in favor. Cliff Blinn voted in opposition.

The Capital Planning Committee recommends that the town of Leverett borrow \$800,000 to build a four room addition to the elementary school and that this addition should be planned as the first phase of a total \$2,400,000 project, the remainder of which will only be built if a grant of state reimbursement of 67% of the \$2,400,000 is obtained. We make this recommendation in spite of the current fiscal conditions because we feel that such an addition is needed, that other solutions which have been discussed either do not provide for a phased approach to construction or involve spending tax money either for rented space or for construction which cannot become part of a project which could qualify for reimbursement, and that the cost of the project will likely increase with each year of delay. The Committee recommends that the design of the addition be such that it requires a minimum of reconstruction of the existing building, except that if at all possible the electrical heating of the 1976 section should be replaced with heating from the addition. The Committee strongly recommends that the proposed addition not be electrically heated.

If the Town votes to proceed with the proposed addition to the school the Committee recommends that all other capital projects be deferred until fy94 except for absolute emergencies. We rate this as the priority project of those that are pending.

SOME MOTIONS WHICH MAY BE PUT BEFORE THE TOWN

1. Move that \$750,000 is appropriated for constructing originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; that to meet this appropriation the Treasurer with the approval of the Selectboard is authorized to borrow ^{1,800,000} ~~\$800,000~~ under G.L. c. 44 para 7 or Chapter 645 of the Act of 1948 as amended, provided that ^{no more than four (4)} ~~no more than~~ classrooms be built with these funds; and that an additional \$1,600,000 is appropriated for constructing, originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; that to meet this additional appropriation the Treasurer with the approval of the Selectboard is authorized to borrow the additional ^{1,800,000} ~~\$1,600,000~~ provided that the State Board of Education approves a construction grant not less than 67% of the eligible construction cost under said Chapter 645.
2. Move that \$50,000 is appropriated from free cash for the design and installation of a well for the Leverett Elementary School.
3. Move that \$600,000 is appropriated for constructing originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; that to meet this appropriation the Treasurer with the approval of the Selectboard is authorized to borrow \$600,000 under G.L.c. 44 para 7 or Chapter 645 of the Acts of 1948 as amended, provided that ^{no more than two (2)} ~~no more than~~ classrooms be built with these funds; and that an additional \$1,800,000 is appropriated for constructing, originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; that to meet this additional appropriation, the Treasurer with the approval of the Selectboard is authorized to borrow the additional \$1,800,000 provided that the State Board of Education approves a construction grant not less than 67% of the eligible construction cost under said Chapter 645.
4. Move that \$260,000 is appropriated for design, installation, and other costs related to installation of modular classrooms; that to meet this appropriation the Treasurer, with the approval of the Selectboard is authorized to borrow \$260,000 under G.L.c.44.
5. Move that \$220,000 is appropriated from available funds for design, installation, and costs related to installation of modular classrooms.
6. Move that \$500,000 is appropriated for purchase or construction of modular classrooms; that to meet this appropriation the Treasurer, with the approval of the Selectboard is authorized to borrow \$500,000 under G.L.c. 44.
7. Move that \$250,000 is appropriated from available funds for purchase or construction of modular classrooms.

Anyone may amend the dollar amounts for any of these motions to a different amount. Motions #4 and #5 anticipate funds to pay the leasing costs will be voted at the Annual Town Meeting. Motions to pay from available funds require only a majority vote. Motions to borrow require a two-thirds vote.

October 1, 1990

Dear Members of the Leverett Community,

We are writing to inform you about a new proposal for creating additional space at the Leverett Elementary School.

We have had a large increase of school age children this year. Our number of children, K-6, has increased from 153 to 173. And we expect more the following year. Based only on students we know of, we can expect 188 students K-6 next year. In addition, we expect to continue to have approximately 30 early childhood students attending school half time.

This year, the School Committee had to place one of the full day kindergartens at the Sunderland Elementary School (in addition to continuing to house our pre-school at the Friends Meeting House). With the enrollment growth for next year, we can expect to place additional classes - kindergarten or other grades - outside of the school.

On September 12 and September 17, our committees met and developed a consensus that the Town be requested to appropriate and authorize expenditure of \$800,000, which would be part of a larger appropriation package of \$2,400,000, for the purpose of constructing a two phase addition and renovation project. This consensus was a result of a recommendation by Joe Flahive of the Massachusetts Department of Education, who indicated that an \$800,000 project would be sufficient to add four classrooms; but that such a project alone would probably not be eligible for reimbursement. A second phase for \$1,600,000, on which we would proceed only upon receipt of a 67% state aid grant award, would be likely to ensure state aid for the entire project.

Based on Joe Flahive's advice, we are confident that, if we proceed quickly, the necessary addition space can be constructed with the \$800,000 appropriation. He envisioned the creation of four classrooms, a design with a pitched roof, and a design which would permit the additional improvements for circulation, handicapped accessibility, and less essential space improvements to come later. In order to achieve the quick pace necessary to get an addition built by September, 1991, the Selectmen have asked the School Committee to take preliminary steps to seek interested architects (with no one to be hired unless the Town votes approval of an appropriation).

The Selectboard has scheduled a Town Meeting for Thursday evening, November 8, 1990 at 7:30 p.m. to vote on this proposal. The Selectboard is currently considering whether or not it is wise to offer an alternative to the consensus, phased proposal (a modular construction alternative has been discussed, although it is much more expensive than we expected and would never be reimburseable by the state). The four committees will schedule at least one public hearing about this proposal and will send out at least one additional mailing.

We hope that consideration of this proposal can be part of a thoughtful and productive discussion within the community. Please feel free to contact any member of the Selectboard, Capital Planning Committee, Finance Committee, or School Committee; or members of the school staff - Leonard Lubinsky, Superintendent; Marting Leggott, Assistant to the Superintendent; or Bobbie Jordan, the school Principal. They will be able to answer some - but not all - questions.

Sincerely Yours;

Fenna Lee Bonsignore, Chair, Selectboard
George Drake, Chair, Capital Planning Committee
Bob Stachowiak, Chair, Finance Committee
Judi Fonsh, Chair, School Committee

Fenna Lee Bonsignore
Donald Gibavic

Selectboard

Judi Foush
Tom Wolff
Laurel Kahn
Jennifer Roberts
Karen Rubin

School Committee

George Drake
Dave Elvans
Cliff Blinn
Steve Nagy
Doris Gere

Capital Planning Committee

Robert Stachowiak
Jackie McNeal
Tim Sheard
Charles Paulin
Dennis Paquette

Finance Committee

Town Hall
Leverett, MA 01054

LEVERETT RESIDENT

LEVERETT, MA 01054

TOWN OF LEVERETT

QUESTIONS AND ANSWERS ABOUT LEVERETT'S VOTE ON A SCHOOL BUILDING PROJECT

WHAT WILL THE TOWN VOTE ON?

The following:

Move that \$800,000 is appropriated for constructing, originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; that to meet this appropriation the Treasurer with the approval of the Selectboard is authorized to borrow \$800,000 under G.L. c.44 para 7 or Chapter 645 of the Acts of 1948 as amended; and that an additional \$1,600,000 is appropriated for constructing, originally equipping and furnishing an addition to and remodeling and reconstructing the Elementary School; that to meet this additional appropriation the Treasurer with the approval of the Selectboard is authorized to borrow the additional \$1,600,000 provided that the State Board of Education approves a construction grant not less than 67% of the eligible construction cost under said Chapter 645.

WHO IS PROPOSING THIS?

The selectboard, the finance committee, the capital planning committee, and the school committee.

WHEN AND WHERE WILL WE VOTE?

At the Elementary School on Thursday evening November 8 at 7:30 p.m.

WILL THERE BE AN OPPORTUNITY TO TALK ABOUT AND LEARN ABOUT THIS PROPOSAL?

There will be a public information meeting at the Elementary School on ^{Tues} Thursday, October 30 at 7:30 pm.

WHY IS THIS BEING PRESENTED TO THE TOWN NOW?

The school's enrollment increases require additional space for next September. If the school addition is not ready for September, the overcrowding conditions at the school will have worsened considerably.

WHAT IS THE ENROLLMENT? WHAT IS THE SPACE PROBLEM?

Grade	Last school year 1989-1990	This school year 1990-1991	Next school year 1991-1992
K	23	27	28
1	21	22	28
2	25	23	21
3	24	28	23
4	31	24	29
5	15	35	24
6	16	13	35
Total	153	172	188
Preschool	30	29	30
Total	183	201	218

These numbers have led the school committee to create, for the current school year, two kindergarten classes and to create a combined 5/6 grade in addition to the fifth grade. Because the Elementary School has only seven classrooms, one kindergarten is housed at the Sunderland Elementary School. Next year, the school committee will need at least nine classrooms (a second sixth grade because there

are now thirty-five fifth graders as well as the second kindergarten that we now have). The numbers in next year's fourth grade or the numbers in next year's kindergarten and first grade could lead the committee to find that it needs a tenth classroom.

WHAT WILL THE FIRST PHASE BUILD?

It will provide four classrooms. Because we do not have an architect, we can only describe a preliminary idea. Our idea, developed with the help of Joe Flahive from the Department of Education, is to add a corridor from the back of the school library, along the side of the 1976 addition, and to add classrooms at the back of the 1976 addition and on the south side of the corridor. This would give us eleven classrooms instead of seven plus mandatory additional toilet facilities and a mandatory new well.

WHY NOT BUILD ONLY TWO CLASSROOMS NOW?

Although two classrooms might be sufficient for next year, increased enrollment for the near future makes it likely that four classrooms would be necessary soon. Any size addition will require a substantial amount of corridor space as well as toilets and a new well. Construction of two classrooms instead of four will not save the Town much money.

WHAT WILL THE SECOND PHASE BUILD?

Renovation to make the school entirely handicapped accessible, a solution to the school's circulation and communication problems (primarily through a corridor between the Phase I addition and the upstairs portion of the original building), additional spaces we may need for the school including additional classrooms and space for art and music instruction (spaces to be built off of the Phase II corridor), renovation to address problems with the building such as rotted window casings, and site work both for the purpose of ensuring handicapped access from the outside of the building and to provide greater safety for children getting on and off school buses.

HOW WILL ALL OF THIS BE DESIGNED?

The school committee will be hiring a new architect who will do a complete design of Phase I of the project and only as much of Phase II of the project as will be required by the Department of Education. We will not be able to use any of the original architect's work for the \$4.6 million proposal (which the Town paid for) because an entirely different project was designed. Nor will we be able to use any of the work done by the original project for last year's proposals (which the Town did not pay for because payment was contingent upon our proceeding with the project) because last year's proposals are not conducive to a phased approach. The funds proposed for Phase I include funds for all architectural work necessary for Phase I as well as what we believe will be acceptable to the Department of Education for Phase II.

WHAT WILL HAPPEN IF THERE IS NEVER ANY STATE AID?

Phase I will have been built at the cost to the Town that the entire project would have cost had the state paid its 67%. The Town vote and the bidding process would ensure that Phase II would be undertaken only if and when the Town receives a state grant.

DOES IT COST THE TOWN EXTRA MONEY TO OPERATE A SCHOOL WITH AN ADDITION?

Additional Costs Regardless of Whether or Not There is an Addition

The school committee will have additional operating costs next year regardless of whether or not an addition is built. Instead of renting one classroom outside of the school for grades K-6, the school committee may have to rent two or three classrooms. The number of instructional staff (a mix of teachers and teacher aides) will be required whether the additional classrooms are at the school or elsewhere. That additional staffing cost could be between \$50,000 and \$60,000 -- an amount the school committee will be more certain of by spring when it completes its budget process. Similarly, whether there is additional rental space or a new addition, the school committee will need to spend up to \$5,000 for additional furniture.

Additional Costs Associated with a School Addition or the Lack of One

A building addition would bring some clear additional costs -- fuel costs, additional cleaning staff, and building and maintenance costs. The school committee believes those costs would be approximately \$11,000. On the other hand, construction of an addition which led to eliminating the electrical heating system for the 1976 addition could save \$6,000. And, if there were no addition, the school committee could be obliged for classroom rental costs of between \$5,000 and \$15,000 for additional classroom space if space can be found.

AND WHAT WILL IT COST TO BUILD THE SCHOOL?

The Capital Planning Committee and the Finance Committee have calculated the tax impact of the \$800,000 construction project. The calculations assume a 20 year loan at 8% interest. We describe the tax impact for the early years for two borrowing alternatives as the tax increase on \$100,000 of valuation as compared to this year's tax. All of the numbers below are approximate and all are based on this year's total town valuation. They include only the effect of the \$800,000 borrowing.

This year is FY 91. Short term borrowing will be used while the addition is under construction. The tax impact for FY 92 will be due to the interest on that borrowing and will be less than \$59.

For the following years, if conventional bonding (equal principal payments each year) is used, the tax impact will be:

FY 93	FY 94	FY 95	FY 96	FY 97
\$96	\$93	\$90	\$87	\$84

If home mortgage style financing (equal payment each year) is used, the tax impact of FY 93 and later will be \$75 each year. This type of financing would cost the Town \$157,635 more in interest over the 20 years. And conventional bonding costs less per year in taxes after the eighth year.

The FY 93 tax impact will be at most \$96, but it could be as low as \$75 depending on the financing option chosen.

WHAT ABOUT PRESCHOOL?

Currently, our preschool is housed at the Friend's Meeting House. Our current program is organized in a way which, primarily, meets the requirements of state and federal special education laws to provide an education for three and four year olds with special needs in an environment with children who do not have special needs. We will continue to have that obligation whether or not we build an addition and whether or not we continue to have a grant from the Commonwealth in support of that program.

The preschool will probably be housed at the Elementary School if a four room addition is voted. That certainly would be the case if a nine classroom (grades K-6) grade structure was developed by the school committee. If the school committee were to plan for ten or eleven classrooms for grades K-6, it would also have to consider keeping the preschool at the Friends Meeting House until it was possible for the Town to proceed with Phase II.

TWO PERSONAL STATEMENTS

When the proposal for additional space at the school was presented earlier this summer, my reaction was "no way will we go again for more space at the school this year." As we worked through the proposal, my immediate concern was for the creation of some special education area and for work on those immediate problems that needed to be addressed. The need for additional classroom space was not an immediate priority in my mind. I saw it as a future priority. At that time, I felt that we would be able to handle the number of students entering the school in the next couple of years without too much disruption.

But as the events of the summer unfolded and more students enrolled in the school (so many in one class), I began to realize there were problems. After attending school committee meetings and observing what was happening, I became convinced that our need for additional space was immediate. What we thought would happen in a few years was happening now and would probably continue to

happen. I then realized that my only responsible action as a member of the Leverett community and an elected board member would be to seek ways to create additional space. This plan meets that responsibility.

I truly understand that this may be one of the worst possible times to come to the Town for more money. And I respect the judgement of those individuals who feel they cannot afford another dollar. But I do ask that those of you who can, give this proposal your serious consideration. Financially, it is probably the best proposal we'll ever be able to present. Without additional space the Leverett Elementary School as we know it will be drastically changed. There have been proposals to use the cafeteria as classroom space. We did that one year and one of my daughters was in that class. It was a disaster year. Another proposal might be to use the gym for classrooms. This will still cost money for renovation. And it will lose the only space the Town has for gatherings, town meetings, for the physical education program. Another idea may be to use the present library space as a classroom. But this now contains the corridor to the two classrooms in the 1976 addition. Portable classrooms are another solution which has been proposed. But these are not cost effective.

The end result is that we really need that additional space and we ask your help to create it.

Fenna Lee Bonsignore

Being in closer contact with the school now that I am a school committee member, I realize that the space need at the school is a very real problem. I also realize that in this uncertain and economically trying time, it may be difficult to come to a decision for the future of our school. While I agreed with most people that the initial school building plans were too large for this town, I believe that this new plan is workable and necessary, and that it would provide us with a solution to our space crunch.

Jenny Roberts

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